

THE REPUBLIC OF GEORGIA: DEMOCRACY, HUMAN RIGHTS AND SECURITY

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED SEVENTH CONGRESS SECOND SESSION

SEPTEMBER 24, 2002

Printed for the use of the
Commission on Security and Cooperation in Europe
[CSCE 107-2-8]



Available via the World Wide Web: <http://www.csce.gov>

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 2003

85-388.PDF

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: (202) 512-1800 Fax: (202) 512-2250
Mail Stop SSOP, Washington, DC 20402-0001

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

LEGISLATIVE BRANCH COMMISSIONERS

HOUSE

CHRISTOPHER H. SMITH, New Jersey

Co-Chairman

FRANK R. WOLF, Virginia

JOSEPH R. PITTS, Pennsylvania

ZACH WAMP, Tennessee

ROBERT B. ADERHOLT, Alabama

STENY H. HOYER, Maryland

BENJAMIN L. CARDIN, Maryland

LOUISE MCINTOSH SLAUGHTER, New York

ALCEE L. HASTINGS, Florida

SENATE

BEN NIGHTHORSE CAMPBELL, Colorado

Chairman

KAY BAILEY HUTCHISON, Texas

SAM BROWNBACK, Kansas

GORDON H. SMITH, Oregon

GEORGE V. VOINOVICH, Ohio

CHRISTOPHER J. DODD, Connecticut

BOB GRAHAM, Florida

RUSSELL D. FEINGOLD, Wisconsin

HILLARY RODHAM CLINTON, New York

EXECUTIVE BRANCH COMMISSIONERS

LORNE W. CRANER, Department of State

JACK DYER CROUCH II, Department of Defense

WILLIAM HENRY LASH III, Department of Commerce

THE REPUBLIC OF GEORGIA: DEMOCRACY, HUMAN RIGHTS AND SECURITY

SEPTEMBER 24, 2002

COMMISSIONERS

	PAGE
Hon. Christopher H. Smith, Co-Chairman	1

WITNESSES

IHon. B. Lynn Pascoe, Deputy Assistant Secretary of State for European and Eurasian Affairs, U.S. Department of State	3
His Excellency Levan Mikeladze, Ambassador of the Republic of Georgia to the United States	11
Bishop Malkhaz Songulashvili, Evangelical Baptist Union of Georgia	21
Genadi Gudadze, Chairman, Union of Jehovah's Witnesses in Georgia	23
Dr. Ghia Nodia, Director, Caucasus Institute for Peace, Development and Democracy, Tbilisi, Georgia	24
Stephen Jones, Professor, Mount Holyoke College, Massachusetts	27

APPENDICES

Prepared Statement of Hon. Ben Nighthorse Campbell, Chairman	34
Prepared Statement of Hon. Christopher H. Smith	35
Prepared Statement of Hon. Steny H. Hoyer, Ranking Member	37
Prepared Statement of Hon. Joseph R. Pitts, Commissioner	38
Prepared Statement of Hon. Gordon H. Smith, Commissioner	39
Prepared Statement of B. Lynn Pascoe	40
Prepared Statement of H.E. Levan Mikeladze	44
Prepared Statement of Bishop Malkhaz Songulashvili	53
Prepared Statement of Genadi Gudadze	56
Prepared Statement of Dr. Ghia Nodia	57
Prepared Statement of Stephen Jones	66
Transcript of Video Presentation, " <i>Terror in the Name of Religion</i> "	69
Letter from Members of the Commission on Security and Cooperation in Europe to Eduard Shevardnadze, President of Georgia, Dated October 17, 2000	71
Letter from Members of the Commission on Security and Cooperation in Europe to Eduard Shevardnadze, President of Georgia, Dated May 15, 2002	73
Letter of Reply from Eduard Shevardnadze, President of Georgia, to the Commission on Security and Cooperation in Europe, Dated June 3, 2002	75
"Searching for an End to Religious Violence," by Hon. Christopher H. Smith, reprinted from <i>24 SAATI</i> [24 Hours] and <i>RESONANCI</i> [RESONANCE], August 27, 2002	77

THE REPUBLIC OF GEORGIA: DEMOCRACY, HUMAN RIGHTS AND SECURITY

SEPTEMBER 24, 2002

**COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC**

The Commission met in Room 334, Cannon House Office Building, Washington, DC, at 2:00 p.m., the Hon. Christopher H. Smith, Co-Chairman, presiding.

Commissioners present: Hon. Christopher H. Smith, Co-Chairman; and Hon. Joseph R. Pitts, Commissioner.

Witnesses present: Hon. B. Lynn Pascoe, Deputy Assistant Secretary of State for European and Eurasian Affairs, U.S. Department of State; His Excellency Levan Mikeladze, Georgian Ambassador to the United States; Bishop Malkhaz Songulashvili, Evangelical Baptist Church of Georgia; Genadi Gudadze, Union of Jehovah's Witnesses in Georgia; Dr. Ghia Nodia, Director, Caucasus Institute for Peace, Development and Democracy; and Stephen Jones, Professor, Mount Holyoke College, Massachusetts.

HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. SMITH. The hearing will come to order. I want to welcome all of our distinguished panelists and welcome the audience and thank you for coming. My name is Chris Smith. I am co-chair of the Commission on Security and Cooperation in Europe. I have been on the Commission now for 20 of the last 22 years that I have served in Congress and will be joined by some of our other Commissioners momentarily. Again, I want to thank all of you for being here today.

This is a Commission hearing on democracy, human rights, and security in Georgia. Much has happened since 1995, the last time we examined the situation in that country. On the positive side, a great deal of progress has been made: there are hundreds, if not thousands, of NGOs, scores of political parties, a parliament that has actually developed a role as a legislature, and some feisty, hard-hitting media outlets, especially Rustavi-2 Television.

These developments give us cause to hope, reasons to take pride in the people of Georgia and are indicative of the grounds for continuing U.S.-Georgian relations. Nevertheless, in the last few years much of the optimism about Georgia's future has dissipated. Last year, a Georgian official devoted a large part of his public address in Washington to refuting a notion that was being discussed at the time that Georgia is a failed state.

I reject that characterization, but today's hearing is a good opportunity to discuss the serious problems that Georgia does face. Preeminent among these is systematic rampant corruption, which has impeded economic reforms and has sickened the body politic.

Despite lectures from the International Monetary Fund, the World Bank, and the U.S. Government, Georgia's Government has proved incapable or unwilling to do what is necessary to stamp out this evil, although President Shevardnadze himself has called corruption a threat to Georgia's security.

There are also grounds for concern about democratization. The last few elections have clearly not met OSCE standards which makes us worry about the important parliamentary election scheduled for 2003, and the 2005 presidential election will usher in the post-Shevardnadze era in Georgia with all of its attendant uncertainties.

Meanwhile, the media and the NGOs have been under severe pressure. Last fall, a foolish ploy by the Ministry of Internal Affairs to intimidate Rustavi-2 Television backfired, resulting instead in the fall of the government. While society's response was heartening, thousands of people came out into the streets to defend the station. The attempt to silence one of the country's most popular media outlets indicated that some Georgian officials are still mired in Soviet patterns of thinking.

I am especially concerned and appalled by the ongoing religious violence in Georgia. Since 1999, there has been a campaign of assaults against members of minority faiths, especially Jehovah's Witnesses, which Georgian authorities have tolerated. Occasionally, policemen have even participated in attacks on defenseless men, women, and children who have congregated for the purpose of worship.

Attempts to bring the perpetrators to justice have foundered as throngs of fanatics hijacked the trial and proceedings. If such travesties are allowed to continue, the country's entire judicial system is at risk of falling victim to mob rule.

Though Jehovah's Witnesses have borne the brunt of this savagery, other religious minorities have suffered as well, including Baptists, Pentecostals and Catholics. Earlier this year, for example, a mob invaded a Baptist warehouse, threw the religious literature outside and burned it. How awful to think the events in Georgia today remind us of Germany in the 1930s.

Georgians have a long tradition of religious tolerance of which they are rightly proud. It is even more puzzling, therefore, why religiously based violence has erupted and continues only in Georgia of all the post-Soviet states. There may be many explanations for this peculiar phenomenon, but there can be no excuse for state tolerance of such barbarity. It must end, and it must end now.

In this connection, I would like to single out another point of concern. President Shevardnadze in his response to our letter last May about religious violence mentioned the anticipated passage of a law on religion as evidence of government responsiveness. However, a law on religion is not the answer to ending the violence as current criminal law is sufficient if the authorities would only apply it.

Also drafts of the religious law currently circulating in the Georgian Parliament are problematic in light of Georgia's OSCE commitments as they would create intrusive bureaucratic hurdles for minority groups to overcome, thereby constructing avenues for the government to ban unpopular religious communities.

The answer to the violence is not regulation of the persecuted groups through a new law but, it seems to me, its enforcement of current criminal statutes. Consequently, we will carefully follow the legislative process and if a religious law is eventually adopted, it should meet all the OSCE standards on religious freedom.

Turning now to another issue, I have been watching with growing alarm Moscow's campaign of intimidation against Georgia. Russia has been leaning on pro-Western strategically located Georgia for years but the temperature has, in the last few weeks, approached the boiling point.

President Putin's request for United Nations backing for Russian military action against Georgia was not any less objectionable for having been anticipated. Georgian Parliamentarians on September 12 unanimously approved an appeal to the U.N., the OSCE, the European Union, the Council of Europe and NATO for protection from anticipated Russian military aggression.

Georgian lawmakers should know that their American colleagues have heard their appeal and will stand with them. While we are cooperating with Russia in the war against terrorism, we have in no way given Moscow a green light to attack Georgia, nor will we do so.

The United States is now more than ever directly engaged in the Caucasus and is stepping up its military cooperation with the region's governments, especially Georgia. This hearing offers a timely opportunity to examine Georgia's prospects for democratization, its security situation, and how Washington can help advance democracy, human right, and economic liberty in Georgia while leading the battle against international terrorism in defending Georgia's sovereignty.

To discuss these issues, we have assembled an international group of experts. In addition, before our panelists speak, we will show a brief video prepared by the Jehovah's Witnesses that highlights the cruel brutality of the ongoing mob attacks.

[Video entitled "Terror in the Name of Religion" shown.]

Mr. SMITH. That was indeed a very powerful video and we will get into that further in terms of the impunity that police complicity or lack of action helps to spawn.

I would like to introduce our very distinguished first panel. Our distinguished State Department witness, Ambassador Lynn Pascoe, the Deputy Assistant Secretary for European and Eurasian Affairs, a Career Minister in the Senior Foreign Service. Mr. Pascoe was most recently U.S. Ambassador to Malaysia and was previously U.S. Special Negotiator for Nagorno-Karabakh and regional conflicts and the U.S. co-chair of the OSCE's Minsk Group.

Ambassador Pascoe's other postings have included Moscow and Beijing. He has testified before the Helsinki Commission before, including at the Commission hearing last December on Kyrgyzstan, and we welcome him back today and look forward to his comments.

**HON. B. LYNN PASCOE, DEPUTY ASSISTANT
SECRETARY OF STATE FOR EUROPEAN AND EURASIAN
AFFAIRS, U.S. DEPARTMENT OF STATE**

Amb. PASCOE. Thank you very much, Mr. Chairman. Again, I appreciate the opportunity to appear before this committee and to offer up the administration's views. Also let me say that I was very impressed with your excellent opening statement. It wraps all of the issues up together.

The last thing I would like to say before I start is that we are talking today about a very close friend of the United States. We and Georgia have worked quite closely together and in very friendly terms on a whole range and host of issues, and very much plan to continue to do so.

I would like to discuss with you and your colleagues our policies in Georgia aimed to promote democracy, protect human rights, and enhance the nation's security. We view these three goals as interrelated. I would like to begin my testimony with a brief discussion of Georgia's security situation because it has a bearing on the ability to carry out political and economic reforms.

In a much publicized September 11 statement, President Putin asserted what he claims as Russia's international right to take unilateral military action against Chechen fighters and other terrorists in Georgia's Pankisi Gorge if Georgia did not carry out more active measures against these fighters. He followed his statement with a letter to President Bush, which he copied to the United Nations and other world leaders.

The U.S. Government immediately responded through public statements and high level diplomatic channels, stating our unequivocal opposition to any unilateral military action by Russia inside Georgia. We repeated our strong support for Georgia's sovereignty and territorial integrity and our belief that security problems in the Pankisi Gorge should be addressed by the Georgians themselves. We believe that this Russian pressure is due in part to the presence of armed Chechens and international terrorists in Georgian territory and Georgia's efforts to avoid entanglement into the Chechen war.

I would also have to add, Mr. Chairman, that it reflects Russian efforts to find a justification for their continued failures of their policy in Chechnya. We should not discount also the fact that there are many in Russia who simply do not like President Shevardnadze.

Since July 29, there have been five instances of Russian cross-border aerial attacks of Georgia. During the most recent attack on August 23, which was witnessed by OSCE border monitors and which we confirmed through our own means, Russian bombs claimed the life of a Georgian civilian and wounded seven others.

We have strongly urged Georgia to regain control of the Pankisi Gorge where we also believe there are third-country terrorists who have links to Al Qaeda. They threaten Georgia's security and political stability as well as Russia's stability. We understand the Russians' concerns to this degree, but we believe this is a problem for the Georgians to resolve, not the Russians.

Thus, the United States is attempting to help Georgia address internal security problems through our assistance and cooperative programs including the Georgia train and equip program. This is intended to help the Government of Georgia eliminate terrorists, secure its borders, reassert central control over its territory and deny the use of it to foreign militants and international terrorists.

The Georgia Train and Equip Program is a four-phased effort designed to help the Georgians establish a National Crisis Action Center, to field an operational headquarters, and to train and equip specific units. The effort is very much on track. Headquarters and staff training began in late May with 120 students receiving classroom instruction.

In early June, additional staff training through the land forces command began and ended with a successful command post exercise. Earlier this month, U.S. trainers began the program's third phase in which they are conducting unit-level tactical military training of Ministry of Defense and other security forces. As noted earlier, the intent of the program is to strengthen Georgia's ability to fight terrorism, control its borders, and increase internal security.

Georgia is already attempting to do this. In recent weeks, it has deployed interior ministry troops into the Pankisi Gorge to establish checkpoints and root out Chechen fighters and criminal and international elements. These efforts signal Georgia's commitment to restoring Georgian authority in the Pankisi Gorge and dealing seriously with the international terrorist link to Al Qaeda.

Moscow, however, has dismissed these efforts as cosmetic and asserted its right to unilateral military action or the joint Russian-Georgian military operations in Georgian territory. We believe, in fact, contrary to these statements that Georgia's action represents a serious effort to reassert control in the Pankisi Gorge.

The United States is encouraging Georgia and Russia to work together to promote regional security within their respective territories and to find negotiated political solutions to their many disagreements. These latter include Russia's periodic cutting-off of Georgia's winter gas supply, Russians stalling their negotiations on political settlement in the breakaway Georgian region of Abkhazia and its delaying of negotiations to mediate CFE Istanbul commitments for the withdrawal of Russian military forces still on Georgian territory.

Resolution of the conflict in Abkhazia is of particular importance. We are working with the United Nations-sponsored Friends of Georgia group to move forward on the Abkhazia peace process. We continue to press Russia to persuade the Abkhazia leadership to accept the Boden paper, a proposal supported by all of the friends and by the Security Council, as a basis for political negotiations.

Mr. Chairman, despite its security problems, Georgia is a potential leader in political and economic reform in the region. It has created a strong framework of legal reform and institutional structures. Georgia's laws are among the region's most compliant with Council of Europe and the World Trade Organization norms.

With our assistance and encouragement, Georgia has made significant progress in passing democratic reform-oriented legislation, although its implementation has been slower than we might have wished. Corruption continues to be a serious obstacle to economic reforms and development. Georgia also still has serious human rights problems, especially police misconduct, torture in pre-trial detention, and harassment of non-traditional religious views.

More positively, despite these ongoing problems Georgia has a free press. We are concerned, however, that the murder of an independent journalist, Georgy Sanaya, has not yet been solved. It is also essential that next year's parliamentary elections, as you rightly pointed out in your opening statement, meet OSCE standards. We are discussing with Georgian officials now how to ensure that it will be a free and fair election.

Georgia's tradition of religious tolerance has been severely challenged by an increasing number of attacks by Georgian Orthodox extremists against human rights activists, as well as against Protestants and non-

traditional religious groups, especially Jehovah's Witnesses. Mr. Chairman, we are deeply concerned about acts such as those presented on your video today.

In public statements and in the State Department's annual report on human rights and religious freedom, we have deplored such attacks. The Secretary of State and the Deputy Secretary Mr. Armitage and our ambassador in Tbilisi are forcefully pressing the Government of Georgia to take effective measure to punish those who perpetuate such acts, and to promote respect for human rights and freedom of religion.

We have stressed to President Shevardnadze and his government again and again that poor records on human rights and freedom of religion not only undermine Georgia's efforts at economic and democratic reform and, I might add, it is reputation abroad, but also has a negative effort on the kind of assistance we can give if the problems are not addressed.

Let me say in this latter regard that we have devoted a large portion of our Freedom Support Act budget for Georgia, which totals \$89.6 million in FY '02, to fund activities that directly promote the building of democratic institutions and practices in Georgia. For example, the Departments of State and Justice are sponsoring anti-crime training and technical assistance programs that fund the Justice Department legal adviser in Tbilisi.

Through this office, the Department of Justice has carried out training for Georgian prosecutors, investigators, judges, members of Parliament, and policy makers on various law enforcement and related subjects, including transnational crime, money laundering, public corruption, criminal procedures, excessive force and human rights violations and interrogation techniques.

Through the American Bar Association's Central and East European Law Initiative, the U.S. Government has provided significant resources to support human rights through legal clinics and legal service organizations. We are carrying out programs this year in Georgia for activities that combat the trafficking of persons, a growing problem throughout the region. Other initiatives promote leadership programs that seek to empower Georgian women in areas such as civic activism, community development, public health, and education. As part of its democratic reform efforts, the U.S. Agency for International Development supported the drafting of Georgia's first unified electoral code which was signed into law in August of 2001. The code was first implemented during recent parliamentary elections. As a result, international observers and domestic monitors alike noted improved election administration.

The United States is also providing local government officials with training in financial management, constituent outreach, service delivery and budget training skills to maximize the limited resources available to local governments in Georgia. We are also focusing programs that have as their goal creating a strong citizenry that is able to hold government officials accountable for government services.

Our democracy program has provided small grants to help establish neighborhood committees of residents to monitor and ensure transparency in government. Other Freedom Support Act grants underwrite the development of independent grants and broadcast media throughout Georgia.

Through our education and other exchange programs, we send every year a growing number of talented young Georgians to the United States. We see this as a crucial investment in the creation of a new generation of western-trained Georgians who will be the future leaders of their country.

The United States is helping Georgia integrate into the wider community of nations based on a commitment to democratization, the rule of law, market economies, and adherence to the Helsinki Final Act and other OSCE documents of which Georgia is a signatory.

As I have noted during this presentation, Georgia has serious security problems and must improve its record in areas including human rights, religious tolerance, and economic and political reform. This is our message, which is very much one of tough love. We send this message because our bilateral relationship is a strong and close one. Sustaining these relations requires continued progress in all these areas.

We have particularly appreciated Georgia's support as a partner of the United States and other coalition members in the global war against terrorism. We certainly recognize the challenges ahead as we work to help Georgia through the process of political and economic reform and development.

Georgia is a fulcrum for east-west energy pipelines, for example, which will include significant U.S. private sector involvement. Standing as it does in the historic crossroads among regional powers, including Russia, Iran and Turkey, a stable and democratic Georgia will have geo-strategic importance for our international relations far into the future. Mr. Chairman, I would be happy to answer any questions that you or other members of the Commission may have.

Mr. SMITH. Thank you very much, Mr. Ambassador, and I appreciate the thoroughness of your testimony and the good work that you and the Department are doing in that relationship and in consistently raising the issues of mob violence and human rights abuses. As you put it—tough love—and friends do not let friends commit human rights abuses. I think we help not only the government but obviously we help the people when we are so consistent, so I want to congratulate you on that consistency. Watching that video and looking at the bruises and the burning buildings and convention centers, it is worth noting I issued or wrote an op-ed piece that appeared in some Georgian newspapers on August 27 and made a point of underscoring the fact that Orthodox belief, Christianity in its essence, does not ever condone that kind of abuse and made note of the fact that His Holiness Ilya II who heads the Georgian Orthodox Church recently called the violent incidents that had taken place on religious grounds “totally alien to our way of life and traditions.”

The hope is that with added focus, both from the government, from other co-religionists who are there and, of course, the Orthodox Church, that this impunity that we have seen—I think the video pointed out 133 mob attacks—these aren't ancient history. I saw one attack on August 15, another in September, this month.

We are talking about a cruelty and a barbarity that you know Father Basil and others absolutely need to be held to account for and I am wondering if you might want to spend some time on what we can do further to help those that are being attacked in such a malicious way.

I know that my colleagues on both sides of the aisle, Republican and Democrat, abhor and detest this kind of activity and when there is complicity or acquiescence by the government and by the police, that is contemptible and that needs to change. Perhaps you may want to elaborate on what further steps we ought to be taking.

Amb. PASCOE. Well, Mr. Chairman, one thing that I think was very valuable was your op-ed piece, which helped people to understand how strongly we feel about this issue. We ourselves have made the statement many times at all levels of our government with the Georgian Government and we believe that they understand that this is a very serious issue.

In fact, following the August talks on the Jehovah's Witnesses' meeting in Kaspi and Odoshini, the Office of Georgia's procurator, at our urging, identified and began legal proceedings against suspects in both cases. We continue through our embassy to monitor these proceedings very closely.

I think the term abhor is not too strong in relation to these terrible instances. We believe that the actual effect on the other side, even if we are beginning to have a little bit of movement toward prosecution of those involved, is far short of what is really needed.

Our training program that I talked about in my statement is very much a part and parcel of the effort to try to develop the kind of police operations and court system that will eliminate the kind of impunity that you are talking about and an understanding by the police of the absolute necessity not to take sides in this kind of fight.

Mr. SMITH. How much power does the central government have in mitigating and, hopefully, effectively prosecuting? There are no prosecutions, as you pointed out, and I am very glad to hear of our actions. Will there be prosecutions of these cases?

Amb. PASCOE. We certainly hope so.

Mr. SMITH. Yes.

Amb. PASCOE. We are certainly urging that, Mr. Congressman.

Mr. SMITH. Hopefully from this hearing again that message will be sent clearly and unambiguously to the government because you know as we come around, you know budgets get tight. You know if there is not movement on this, I can assure you, I and others will take action when it comes to foreign aid, notwithstanding the friendship we enjoy because again this is totally intolerable.

Some analysts argue that outside forces, especially Russia, want a destabilized Georgia and have helped instigate the acts on minority faiths. For example, Georgian Parliamentary Guram Sharadze has been accused of having KGB connections. What do you make of that? Is this some kind of conspiracy theory or is there something to this that they are trying to foment that kind of instability?

Amb. PASCOE. Well, we certainly at this point, sir, do not have any evidence that this is the case. I think it is true that throughout the former Soviet Union we have seen actions that established churches and others often going after groups like the Jehovah's Witnesses. It has been all too widespread. We have seen it in several places.

We do, however, I think the video made it quite clear, suspect that there are certainly parts of the Georgia police force that have been complicit in helping nationalists. We do not believe they've been coordinated by central intelligence organizations or by outsiders. There certainly seem to be enough local problems to allow this to occur. But we are watching this very closely.

I would agree with you, to go back to your earlier statement, that the real issue is not where these incidents come from but how they are stopped. I think this is the critical part of it and there has to be prosecutions in these cases.

Mr. SMITH. Let me ask you about the Russian Defense Minister, as you know, who said on September 19 that Russia has “tons of evidence that terrorists from Chechnya, as well as from Arab and Muslim countries are operating in Georgia, some of whom have links to Al Qaeda.” Does the U.S. Government agree that Al Qaeda affiliate terrorists are operating on Georgian territory?

Amb. PASCOE. There have been some, sir, that clearly do have ties and have gotten some money out in the past and this is part of—one of the reasons that we have been working very closely with the Georgian Government to try to eliminate these people.

On the tons of evidence charge, we have gotten you know some material from the Russians, most recently that we will look at and I do not really want to characterize that one way or the other. Nevertheless, I think we have a pretty good idea of what is really going on in the Pankisi Gorge and there the actions of the Georgian Government have been really quite serious and quite effective I think in trying to get control of this region.

Mr. SMITH. Do you harbor any concerns that as a pretext for additional incursions that they may use the alleged appearance or lack of resolve by the Georgian Government to go after these individuals?

Amb. PASCOE. Well, Mr. Chairman, we have been at this almost, sometimes almost daily, but certainly weekly since last year with the continuing run of accusations and assertion that somehow our actions make it OK for Russian action in the Pankisi Gorge.

We have been categoric in discussing this from the president on down with the Russians that this is not acceptable, that clearly the Georgian Government is trying to work on this issue, that we will help the Georgian Government with its issue, that to the extent that the Georgians work with Russians, and we have been strongly encouraging that for the two sides to work together and to exchange information, that that is an excellent thing to do but that any sort of unilateral Russian action is totally unacceptable.

The concerns from the Georgians, I think, of having Russian military in the Pankisi is the concern that this would be another area which they might see that they would lose control of when they went to establish that control themselves; and secondly is they do not want to see the war in Chechnya expanded to Georgian soil, and both of those strike me as very valid arguments from their point of view.

Mr. SMITH. Let me ask one final question. Train and equip obviously is a very ambitious military cooperation program in the Caucasus, what is your assessment? What's the department's assessment of the deficiencies as well as the strengths in the Georgian military?

Amb. PASCOE. Well, let me say in the first instance that the Georgia train and equip operation has been working very well. We are quite pleased with it. The delay, if there was any delay in the early part, was due to our scrambling around to make sure we got the pieces of the money together under the legislative authority we had from Congress.

When this was done, we then moved quite quickly because UCOM had a plan developed to move in and do this early on. The parts of the training, as I mentioned in my testimony, have actually gone very well.

We would expect that by December we will have the first unit out. Right now some of the officer corps that were trained earlier have taken part in some of the planning in the Pankisi, so we have seen this process moving forward.

So, I think that I would not say that the various Georgian military forces at this point are strong or anything like as good as we would like. We have been working with the border forces now for several years trying to give them training and some equipment.

Amb. PASCOE. We are now working through the Georgia train and equip program with the regular military, the regular army, to move that to a higher level of training than it was before.

Mr. SMITH. I think in a way you have already answered this, but let me ask you, the Chairman of Russia's Council on Foreign and Domestic Policy suggested in mid-September that it would be good for Russia and Washington to conduct joint military operations to combat terrorism in the Pankisi Gorge. Have we responded to that officially or have we indicated to them our view on that?

Amb. PASCOE. As I mentioned, sir, one thing, our very strong position on this has been that this is a Georgian problem. We are happy to help the Georgians with it. This is not a sort of Russian and U.S. problem that we should go in and somehow solve without the Georgians being there. We are carrying on very detailed conversations. We have been encouraging Georgia to carry on detailed conversations with the Russians to show exactly what is happening on the ground and the successes that they are having.

Mr. SMITH. One final brief question and, again, I want to thank you for your appearing here, but more importantly for the remarkable and outstanding work you are doing. Dr. Nodia in his testimony has expressed concern about the tendencies in Georgia to use the ethic or religious background on politicians to discredit them. Is that something that we have raised that somehow your affiliation with a certain religious organization or faith is then used as if this is somehow a bad thing?

Amb. PASCOE. Well, obviously it is a bad thing and we would be deeply concerned about it if it were the case. We do not really have much persuasive evidence that this is the case but that may be just that we do not know. We have not pursued it far enough but certainly it would be something that would concern us and I—well we have an open mind on it, sir, but obviously the concern is if we did, in fact, think that was the case.

Mr. SMITH. I appreciate that, and anything you would want to add?

Amb. PASCOE. Let me say again, Mr. Chairman, thank you very much for the opportunity to come today. These are important issues. We think that the Commission does important work. We want to work very closely with you and we commend you for this entire series of hearings because we think it is very important to get American views out there on the table.

Mr. SMITH. Mr. Ambassador, thank you very much and we look forward to continuing working with you. We appreciate your efforts. I would like to invite our second panel to the witness table, His Excellency Levan Mikeladze, Georgia's Ambassador to the United States, Mexico and Canada. He has been well known to the Helsinki Commission for many years since his service in the Georgian Embassy in Washington in the 1990s.

Before taking up his duties in Washington from 1996 to 2000, he was Georgia's Ambassador to Austria and the OSCE in Vienna. Previously, the Ambassador was Counselor for Political Affairs in the Georgian Embassy to the United States, Mexico, and Canada and from 1992 to '95, he was State Adviser to the Head of State of the Republic of Georgia, and in 1992 head of the European Department of Georgian Ministry of Foreign Affairs.

Now with a tremendous amount of credentials and knowledge about the issues of import to this Commission, we welcome you, Mr. Ambassador, and look forward to your testimony. We are joined, I would point out, by one of our distinguished Commissioners from Pennsylvania, Mr. Pitts. Mr. Pitts, do you have any opening comments?

Mr. PITTS. Thank you, Mr. Chairman. In the interest of time, I will submit this for the record.

Mr. SMITH. Ambassador Mikeladze, please proceed.

**HIS EXCELLENCY LEVAN MIKELADZE,
GEORGIAN AMBASSADOR TO THE UNITED STATES**

Amb. MIKELADZE. Thank you, Mr. Chairman. Mr. Chairman, allow me to extend my personal and my government's gratitude to you and the Commission on Security and Cooperation in Europe for inviting me to this meeting, which on the one hand speaks on the growing interest to my country and the existing problems there and in the whole region, but also concerns with the deteriorated security conditions caused the aggressive and threatening actions of the Russian Federation toward Georgia.

Based on the problems described in your letter, Mr. Chairman, I will first elaborate on the state of affairs in the field of democratic institutions and human rights and then address the present relations between Georgia and Russia. I have submitted a written statement for the record, and at the conclusion of my remarks, I would be glad to include any questions you might have.

After having looked at those pictures, video, it is of course hard to speak about the achievements in the field of human rights in Georgia, but nevertheless I would like to stress that the protection of human rights is one of the key priorities of Georgia. A series of measures have been implemented to provide the human rights protection.

After the adoption of the Constitution of Georgia, real legislation has been created which is in line with international law. The Constitutional Court, which plays a significant role in the implementation of constitutional guarantees of human rights was established. The Office of Public Defender of Georgia has performed serious activities. Georgia became a full member of the Council of Europe, ratified the European Convention on Human Rights, and other important instruments in the field of human rights protection. Judicial reform has been implemented. NGOs are active, and they with the media seriously participate or actively participated in political life of the states.

In my view and this is not only my view, since it has been shared by a number of experts, all of the former Soviet Republics and especially among the CIS countries, Georgia has been a leading country in protecting human rights. Georgia's commitment to a free press and respect of political rights has been remarkable in a region of the world not yet know for ensuring respect of basic human rights to their whole extent.

That is why in diplomatic circles, expectations for Georgia are so high. At the same time, it has to be mentioned that serious difficulty still exists in the protection of human rights. The particular matter of concern is the growth of the number of facts relating to religious intolerance, so far there are many complaints on the violations of constitutional human rights.

We fully recognize the existing problems in this area and all these cases are publicly discussed in the parliament, government, and media.

First, I will say a couple of words about the local elections. In the light of upcoming parliamentary and presidential elections, the local elections were viewed by the majority of the political parties as “some sort of warm-up before the bigger elections.”

Unfortunately, in Tbilisi, Rustavi, Zugdidi and Khashuri, many incidents occurred that resulted in violations of the leftover procedure. The Central Electoral Commission declares elections held there null and void and appointed a date to hold new voting.

At the request of major political parties, Central Electoral Commission issued an ordinance to recount electoral bulletins to finalize the results of elections held in Tbilisi. This procedure is underway.

I do want to say a few words about the unacceptable attack on the Liberty Institute. The president thought that the attack was criminal and barbaric and he conveyed his strong intent to bring the criminals to justice with all speed. Investigation is also underway.

Speaking about the religious intolerance, until recently there were no signs of religious intolerance in Georgia, including those against Jehovah's Witnesses, on the contrary. For centuries in the capital of Georgia, temples of different religions coexist peacefully in the vicinity of each other. Not only Orthodox believers live in Georgia. Hundreds of thousands of Catholics, followers of the Armenian Church, Muslims, Israelites permanently reside in our country and neither Orthodox believers nor the Georgian state have had instances of intolerance. Some problems have recently arisen relating to certain non-traditional religious groups. This is a rather new phenomenon for our country. To explain the origin of intolerance directed against religious minority groups, let me offer my perspective on the matter.

For ages, the Georgian Orthodox Church has played a significant role in the preservation of our country's statehood and the Georgian nationhood itself. This role is reflected in the Constitution but it also declares complete freedom of religious belief and stresses the independence of the church from state. The public feels strongly about keeping the Georgian Orthodox Church as a keystone of the independent Georgian State. For many, it is an instrument to protect its historical and cultural heritage and traditions.

A certain part of our society has recently expressed its disapproval of the activities of non-traditional religious groups since in their own opinion these groups are seeking to undermine the foundations of our state.

Obviously, such an approach is erroneous. We need to change this mentality and we are sure that this is only a matter of time before doing so. We want to ensure that the activities of various religious groups, including both traditional and non-traditional are fully protected. I have to add also that some populist politicians fuel these problems.

I can assure you, Mr. Chairman, that the president is fully committed to stopping acts of religious discrimination and the violence. A series of criminal proceedings was instituted following incidents of religious extremists that entailed the mob violence against representatives of various religious minorities.

In accordance with the decision of the Prosecutor General's office, seven criminal cases were joined in a single case against a defrocked priest whom we have seen on the screen now and his accomplices and these persons have been charged with committing the following crimes, beating and battery, coercion, and illegal obstruction of performance of religious rights.

In an unrelated event, we have brought charges against those who burned a great deal of books belonging to the Baptist community of Georgia. The investigative department of the Ministry of Internal Affairs instituted criminal proceedings against the suspects. These criminal cases were transferred to the Tbilisi Circuit Court but no decision has yet been rendered.

In conformity with the principle of separation of powers, the court is at least independent in our country. Neither the President of Georgia, nor other officials are allowed to influence the judgment it makes in any way.

But in conformity with the decree of the President of Georgia, the Council of Justice of Georgia is expected to attach particular attention to the consideration of court cases related to violence, torture, or degrading treatment against religious minority groups so that these cases are tried without any obstacles and undue delay.

We hope that the effect of this effort allows us to say that religion-based intolerance has no future in Georgia. Respect for human rights and recognition of their importance is one of the criteria that cannot be neglected in Georgia.

We could not even imagine that somebody would enjoy basic human rights and freedoms and I would like to take this opportunity and express my hope that freedom of speech and expression, as well as other civil and political rights, will not be jeopardized in the future.

Now, let me shift to Georgia's security and its relations with Russia. Mr. Chairman, I appear before the Commission at a very dangerous time for my country. As you know, relations between Georgia and Russia have entered a very troubling phase and we are doing everything diplomatically politically possible to prevent President Putin from making good on his threat to wage attacks in Georgia. We, along with the Bush administration, would regard such an attack as violation of our sovereignty and our territorial integrity.

I would like to review some difficult but important facts pertaining to the present crisis between Georgia and Russia. I share them with you in the spirit of promoting a more developed understanding of the situation that my country finds itself in. Russia has violated sovereign Georgian airspace repeatedly despite our warnings to cease. In the last 2 months, we have been bombed half a dozen times. International observers from the OSCE and the United States have confirmed those violations.

The Russian Federation not only brazenly denies conducting air raids which have resulted in casualties, but it also blames the Georgian side that its aviation has bombed its own citizens. Russia has repeatedly attempted to send and deploy units of paratroopers in the northern re-

gions of Georgia. Only President Shevardnadze's personal involvement in the case and his courageous visit to these regions resolved the situation.

Russia has nurtured separatist movements in the northern regions of Georgia.

It supports separatists militarily and integrates these regions into the Russian Federation, unilaterally introducing the visa regime with Georgia and exempting separatist regions from it. The international community has condemned these attempts to annex parts of Georgia by Russia. Russia, without any sense of responsibility and discrediting its own role of mediator, facilitator, and peacekeeper, openly supports separatists outside and fights it inside the Russian Federation.

Russia still has three military bases in Georgia and has defied decisions of the Organization for Security and Cooperation in Europe to withdraw its base in Abkhazia and negotiate withdrawal from others. Russia's refusal to withdraw its bases violates international commitments it made in Istanbul in 1999 to close and withdraw them. One of the key principles of CFE Treaty—free consent of host nation on deployment of foreign troops—has been violated.

Russia which has control of gas lines has arbitrarily shut off gas to Georgia, including in winter time. Russia has also attempted to gain full control over the national energy infrastructure, thus undermining our independence and sovereignty.

I also regret to report of the propaganda Russia continues to spread against my country through its government and the media spreading falsehoods about Georgia and its activities. The current crisis ostensibly stems from the presence of Chechen fighters in Pankisi Gorge.

From the very beginning of the second Chechen war, Russia has accused Georgia of sheltering Chechen terrorists, although despite Georgia's warning of the danger of spillover of Chechen conflict onto Georgia territory, the Russian side could not or did not prevent the infiltration of Chechens into the Pankisi Gorge.

On September 11, 2002, President Putin gave orders to the Ministry of Defense to prepare, also to the general staff, to prepare and present a plan of a military operation to be carried out in Georgia. The timing was chosen very carefully. Mr. Putin's statement came one day before President Bush's speech in New York at the U.N. General Assembly. It was evidently aimed at trading Russia's support of U.S. intervention into Iraq for U.S. support for Russia's invasion of Georgia.

President Putin made many analogies between the situation he faces in Georgia with what President Bush faces in Iraq. The *Warsaw Journal* called the analogies preposterous and Senator John McCain stated that: "President Putin of Russia has appropriated American rhetoric in the war against terrorism to justify Russia's subversion of the Georgian state. A free Russian hand on Georgia is apparently the price President Putin believes the United States is willing to pay for Russia's support for military action against Iraq."

The leadership of the Russian Federation has misled its population and the international community asserting that Georgia hampers Russia's fight against terrorism. This is not true. We have been and continue to root out the Chechen fighters through a major anti-terrorist operation in the Pankisi Gorge.

As we speak, U.S. Special Forces are training our forces to accomplish this objective. I speak about the train and equip program. As the Bush administration has stated, we believe firmly that problems in Pankisi Gorge should be addressed by the Georgian Government and they are doing so.

We have been working to resolve the conflict with Russia by peaceful means. In his letter to President Putin, President Shevardnadze appealed to Putin to find common ground, to rise above the existing problems, and develop good neighborly relations between our two peoples. We have also indicated readiness to receive an OSCE group of experts, international monitors, including representatives of the Russian Federation that will be provided with an opportunity to visit any site at any time.

We are appealing to the entire international community and particularly to the United States with the hope that they will not allow the violation of territorial integrity and sovereignty of my country by aggression from one of the mighty military powers of the world. I thank you, Mr. Chairman, for inviting me again to appear before the Commission and I would be glad to take your questions now.

Mr. SMITH. Ambassador Mikeladze, thank you very much for your testimony and for the very strong statements you have made regarding your government's concern about the human rights abuse, especially the actions taken against minority religious believers, and for reminding us that this is indeed a dangerous time for Georgia.

Let me ask a first question: if the United States were to move against Iraq, do you have concerns that at that time, perhaps because of a diversion of eyes averted from Georgia, the Russians might move on Georgia?

Amb. MIKELADZE. Mr. Chairman [inaudible].

Mr. SMITH. If the United States were to move against Iraq in a war, do you harbor concerns that during that time when eyes are fixed on Iraq that the Russians might use that as a diversion and move on Georgia?

Amb. MIKELADZE. Mr. Chairman, of course such danger exists. We think that Russia would like to use the U.S. campaign against Iraq as an excuse of an attack to invade Georgia and all developments in the recent last 2 or 3 weeks indicate such a danger. But, again, we appreciate very much the U.S. Government's support, which indicated clearly that any unilateral actions undertaken by the Russian Government against Georgia would be unacceptable.

Another clear indication to that theoretical hypothetical, let us say, possibility is the letter of President Putin to the Secretary General of the United Nations and the members of the Security Council where he tried, let's say, to get the international support for unilateral actions in Georgia. But fortunately, neither the United Nations nor the U.S. Government has supported this idea.

Mr. SMITH. Mr. Ambassador, you mentioned in your comment, your government was fully committed in trying to eradicate this religious persecution that's occurring through mob violence and complicity by the police. You pointed out that defrocked priest, Father Basil, was brought to trial.

My understanding is there have been at least seven instances where the proceedings by the judiciary were delayed because the government was unwilling to send police to stop the mobs from invading the court-

house. It seems to me that if people mob a courthouse, they get arrested and they get held to account for impeding a judicial proceeding. Obstruction of justice might be leveled against them and certainly the violence that they use would be a crime in and of itself.

Can we get assurances that that trial in particular and any other trials will proceed? If examples are set, the crowd becomes less enthusiastic if they do not "get rewarded" for their activity of stopping the trial. The impunity goes on and on.

Some examples, it seems to me, would be very much in order. Hold this defrocked priest to account and it also seems that the Orthodox Church would owe the government a very sincere thank you. As it says in the Bible that a good name is to be sought after great riches. It is much more important than great riches, and his is giving Georgia a black mark. It is also giving the Orthodox Church something of a black mark because there seems to be an impression that somehow they are at fault as well.

So, I would hope that all due effort be made here because this matters so much to this Commission. Perhaps we have the unique position as you know living here as Americans in a country that has been a refuge for religiously persecuted people and they have flocked to our shores from all over the world. The experience gives us almost a unique standing when we speak out against such intolerance.

I would hope that the trial against Father Basil and the others will proceed. If people try to bust it up, arrest them. Send, deploy sufficient resources to stop that and that step could have a chilling effect on others from disrupting similar proceedings. Mr. Ambassador.

Amb. MIKELADZE. Thank you, Mr. Chairman. Mr. Chairman, I would like to assure you and the Commission that my authorities are also extremely concerned with this development and I can state also that they are not sitting idle and looking what is happening there on the ground. Nevertheless, there are some objective difficulties and certain aspects that should be taken into account.

First, as I stated already, it is a completely new phenomenon for our society and having the very long experience of peaceful coexistence of different religions and faiths in Georgia, now the authorities simply reach the experience of dealing with such new and very unusual phenomenon that appeared recently in our society.

The parliament and president, they have strongly condemned these actions and they have tasked the Prosecutor General's office, the investigative bodies, particularly the Ministry of Interior, to investigate the case and they on their side, they have finalized the investigation, transferred them to the court, but unfortunately for again a number of reasons, the court did not take any punitive decision against the perpetrators.

The Prosecutor General's office three times appealed to the court to revise the case but again, the court has rejected it because of less than enough, let us say, evidence. Although, another aspect that is also very important for me, but unfortunately, and I stress unfortunately, these people they have certain grounds, certain sympathy also in the society that is again instigated and supported by a number of populist politicians.

Speaking about the police, this is one institution that did not undergo the fundamental reforms for different reasons. During these last several years, unfortunately we had some other priorities having in mind

the threats coming from outside Georgia. That is why my authorities were more focused on the border guards, on the army, and some other structures, and of course I accept the criticism and I accept the necessity of transforming of the reforming of our law enforcement bodies and particularly police.

Mr. SMITH. Thank you.

Amb. MIKELADZE. But again I would like to...

Mr. SMITH. Sure.

Amb. MIKELADZE. ...add a couple of words. Police also have difficulties to use force because they managed, by the way, a number of times to avert the bloodshed and to stop the mob, but unfortunately we had also cases when they were not successful.

Mr. SMITH. Just let me add, and I thank you for those assurances, I cannot stress enough how injurious it is to Georgia's reputation that these kinds of events continue to happen against innocent people whether they be Baptists, Jehovah's Witnesses, or other minority faiths.

If the courts are being complicit or not helpful in prosecuting justice, perhaps they need to be looked at very carefully. Perhaps a special prosecutor could be impaneled or empowered to bring the kind of evidence that would be the requisite evidence to garner convictions. You know the idea of zero tolerance; these people should not be targeted simply because of their faith. It is hurting. I have to tell you this, the reputation of Georgia in a very real way around the world and especially in the halls of Congress, we want to be supportive.

We are supportive of Georgia's democracy, but this is something that we hold so dear and like I said, it is both sides of the aisle, Democrats and Republicans. Again, I think actions do speak louder than words. I can make all the pronouncements I want about something but until I actually concretely do something, that is where the real merit is. I want to encourage you in the strongest terms to get a handle on this because there will be more victims. There will be more people with black eyes and stitches and broken legs and all kinds of other injuries, perhaps death and the destruction of property. The imposition of certain punishment will deter these mobs from this impunity that they have embarked upon, so I strongly encourage you. Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman. Mr. Ambassador, Russia's Defense Minister said on September 19 that Russia has "tons of evidence" that terrorists from Chechnya, as well as from Arab and Muslim countries, are operating in Georgia, and some of them have links to Al Qaeda. What is the position of your government, the Government of Georgia, on the presence of foreign terrorists in your country?

Amb. MIKELADZE. Thank you. First, I would like to respond to Mr. Chairman, to your comments. I fully share what you have said but there is one thing that I would like also you to consider and to take into account. Of course, we do not have the direct evidence of some outside forces backing these people, but of course all these events, all these attacks in our view are part of the overall attempts, overall policy of the destabilization of the situation in Georgia. That is why it is so serious and that is why it is so disturbing for my authorities and for my people.

But again, what can we do? I think here the United States' role can be really immense. In my view, we can, first of all we have to move in the direction of the increased awareness of this problem, the increased knowledge about the religious tolerance, the freedom of the faith of the religion and so on and so on.

There are a number of programs that are now going on in Georgia and I think that we can add some new ones and they would, of course, help us to increase the knowledge about the values, about the philosophy of this approach.

As for the second question, Congressman, yes we hear these accusations very often coming from very high-level Russian officials. What can I say? Of course, one cannot deny that there may be terrorists, Al Qaeda people among them on the Georgian territory, and this was the reason we asked for the support of the United States.

That is why we have initiated the program of the train and equip. That is why we have just launched a couple of weeks ago a very serious anti-terrorist military operation in the Pankisi Gorge and my government is doing its best to root out any terrorist elements if they exist in Georgia.

But these accusations coming from Russia are really ironic—we, of course, do not accept any criticism and any accusations coming from our Russian colleagues since I think they do not have any moral right to blame Georgia in sheltering terrorists, since Russia itself is doing so.

For years, we asked them to transfer the Georgian terrorists who attacked President Shevardnadze and who then found refuge in Russia to be transferred to Georgia, but unfortunately all our attempts have failed. Sometimes Russians remind me of the priest who does not practice what he preaches.

I think that the Russian authorities themselves have developed the most friendly and warm relations with those countries associated with the axis of evil. I think that last week in *The New York Times* we read an article about the sanctions imposed by the U.S. Government on the Russian state-owned industries that have developed very intensive relations, trade, arms deals with the terrorist organizations and terrorists in some Middle Eastern countries.

So, that is why, of course, we recognize the existence of this problem in Georgia. We do everything possible. We try our best to resolve this problem, but again I do not think that the Russian accusations have any grounds or any moral ground to be directed against Georgia.

Mr. PITTS. So, has your government found any evidence, any hard evidence of the presence of foreign terrorists or any terrorist groups that are linked to Al Qaeda in Georgia?

Amb. MIKELADZE. No. We have some suspicion that there might be people associated with Al Qaeda but when our Russian colleagues speak about terrorists, of course first of all they have in mind the Chechen fighters, although there are different views about them. There might be the fighters for the freedom of independence of Chechnya but there might be also people—these people may be blended up let's say with the terrorists which conducted the terrorist acts on the Russian territory.

But the main problem in our view are the Chechen gunmen, Chechen armed people on the Georgian territory, although there are some suspicions. Again, I would like to stress that we do not exclude that there were elements of Al Qaeda but we do not have direct evidences of that. Mr. PITTS. Some analysts argue that outside forces, especially Russia, want to destabilize Georgia and have helped instigate the attacks on minority faiths. For example, the extremist Georgian parliamentarian Guram Sharadze has been accused of having KGB ties. Do you find convincing any such theories about religious violence in Georgia?

Amb. MIKELADZE. Congressman, I am almost sure that behind all these terrorist attacks, there is someone who is very much interested in the destabilization of the situation in Georgia, and if we analyze who may be the most interested in the deterioration of the situation there on the spot, of course first who comes to my mind is the Russian Federation.

As for the second part of your question, of course we do not have direct evidences or proofs of this but, again, I do not exclude that our society and the politicians also, among the politicians there might be people who are directly linked with the special services of foreign countries.

Mr. PITTS. Finally, President Shevardnadze has issued several statements condemning religious violence and calling for police action. Why have the perpetrators of violence, for instance against the Jehovah's Witnesses and other religious minorities, not been arrested? Why hasn't the government done something and what does your government plan to do to ensure that police actively intervene to protect these groups from further violence?

Amb. MIKELADZE. These people who are associated with the attacks of Jehovah's Witnesses, a number of them were arrested the other day were taken under the custody and as I have reported, the president and parliament have appealed to the investigative bodies to investigate the cases. They have done their job, transferred the results of the investigation to the court, but unfortunately court has released them, and here president and parliament were unable to affect the court's judgment.

But, of course, Shevardnadze was extremely critical, like our media or our parliament toward the police and I would like to assure you that they will be—that police under the pressure coming from the society, from the media, from the government and parliament, they will be more effective in the nearest future.

Mr. PITTS. Thank you, Mr. Ambassador. Thank you, Mr. Chairman.

Mr. SMITH. One final question, Mr. Ambassador, if I could. What would you say are the short-, medium-, and long-term goals of Russia vis-a-vis Georgia?

Amb. MIKELADZE. To swallow Georgia to be very brief, in short, medium- and long-term perspective. But to be more serious, in shorter perspective of course all these problems which we speak now about are directed against existing governments and, to be again very open, President Shevardnadze's personality. They, of course, aim to undermine the existing government.

As for the medium-term perspective, I think that the Russia Federation aims to keep the Russian military presence there to gain the political influence, to increase the political and economic influence on Georgia, to get the full control over the gas and energy infrastructure and so on. But in long-term perspective, in my view, Russia's main goal is to make Georgia a permanent satellite, obedient servant to the Russian Federation.

Mr. SMITH. Thank you very much Ambassador Mikeladze, for your testimony. We look forward to hearing of developments in the area of religious freedom. I would note that in half a year or less, I plan on calling another hearing on Georgia, the purpose of which would be to focus on these developments.

Our hope is that through friendship and cooperation and accountability, we will see significant progress in this area because we do care deeply for Georgia on this Commission. You are a great friend but we also are concerned about this impunity. As you said, out of kilter, if you will, with Georgia's long history and again I think much more can be done that I hope will be done to end it.

So, we will look forward to hearing from you in a few months, and I do again want to thank you for coming before this Commission and being a part of this proceeding. We do appreciate it.

Amb. MIKELADZE. Thank you, Mr. Chairman. Believe me I will count very much on very close cooperation with the Commission, with your able staff, and will continue in this spirit. Thank you.

Mr. SMITH. Thank you so much, Ambassador.

I would like to invite our third panel to the witness table, beginning with Bishop Malkhaz Songalashvili, a Baptist minister since 1990. He has taught medieval history and the history of Christian theology at Tbilisi, a state university. From 1985 to 1988, he was a member of the committee for modern Georgian translation of the Bible at the Patriarchy of the Georgian Orthodox Church. The Bible, released in 1989, was the first translation of scripture in the modern Georgian language.

In 1993, the bishop founded the first Protestant theological seminary in Georgia where he has been teaching Hebrew and the Old Testament. Since 1994, he has been the leader of the Evangelical Baptist Church of Georgia, the largest Protestant denomination in Georgia.

Our next witness will be Genadi Gudadze, who was baptized as one of Jehovah's Witnesses on June 17, 1983. At the age of 19, he was sent to prison in Georgia as a conscientious objector to military service. He served a one and a half year term starting in January 1985. He was arrested again for the same reason and was sentenced for a 3-year term.

Initially, he was sent to prison in Georgia, but was later transferred to a prison in Siberia. He was released on October 15, 1987. Since February 1998, Mr. Gudadze has served as an administrator at the Georgia Office of Jehovah's Witnesses.

In February 2001, he was appointed Chairman of the Union of Jehovah's Witnesses in Georgia. Translating for Mr. Gudadze is Mr. Lasha Chokheli. He serves as the branch office in Jehovah's Witnesses in St. Petersburg in Russia.

Our next witness after him will be Dr. Ghia Nodia, who is Chairman of the Board of the Caucasus Institute for Peace, Democracy and Development in Tbilisi. He is the author of four books and more than 40 articles focusing on the interdependence of democracy and nationalism in light of the Caucasus regions' communist and post-communist experience, as well as political and social aspects of democratic transition and institution building in post-communist countries.

Dr. Nodia is a member of the editorial board of the Journal of Democracy, the steering committee of the World Movement for Democracy and the advisory board of the Eurasia Foundation office in Georgia.

Finally, Stephen Jones is an associate professor in Russian and Eurasian studies at Mt. Holyoke College. He is the author of more than 50 publications on 19th and 20th Century Georgia. He regularly briefs the State Department and other U.S. Government agencies, as well as the UNHCR, the World Bank, and other institutions on the current situation in Georgia.

He has just completed a book, *Georgian Social Democracy 1893 to 1917*, and is currently writing another book on democracy building in Georgia and U.S. policy toward the Caucasus since 1991. Bishop, if you would begin.

**BISHOP MALKHAZ SONGULASHVILI,
EVANGELICAL BAPTIST UNION OF GEORGIA**

Bishop SONGULASHVILI. Mr. Chairman, ladies and gentlemen, first let me greet you, all of you on behalf of the Evangelical Baptist Church of Georgia, which is the largest Protestant Church in this Orthodox majority country.

It is already 10 years since Georgia has reemerged as an independent nation. We gained independence but we still have to reach freedom. Old values have gone. New values have not come yet. There will be a very long way to go before we fully appreciate the values of democracy, freedom, basic human rights, and general sense of dignity of the human being.

The question of religious liberty has become a matter of political manipulations in Georgia. It seems that most of the political parties have come to realize that a true Orthodox policy can be very beneficial in their free election campaign.

On the other hand, the other fundamentalist Orthodox groups are taking their opportunity to increase their war against religious minorities. I have been invited here to the United States to bring some clarity about religious liberty, religious violence in Georgia, to answer some questions coming from you, but I am afraid I have more questions than answers myself.

I do not understand why the fierce religious intolerance crept into the country of Georgia where religious intolerance was not a big issue in the past. In fact, religious tolerance used to be a matter of national pride.

I do not understand why the Orthodox Church and Orthodox believers do not clearly and boldly condemn when sacrilegious actions are carried out in the name of Orthodox Christianity when the leaders of non-Orthodox people are shaved in the name of the most Holy Trinity in an attempt to humiliate them, when Bibles and other Christian books are burned publicly with wild joy and Catholic, Evangelical Baptist, and non-Christian clergy are attacked physically and are publicly maltreated.

I do not understand why the police are almost completely inactive when people are beaten up for their religious beliefs, when people's properties are violated and belongings stolen because they belong to a non-Orthodox church or religious group.

Very often, they say if there is no law about religion, we cannot do anything about religious violence. What is the explanation? It is not an absence of religious legislation that causes religious violence and persecution but the absence of [inaudible] law, justice and general rule.

I do not understand why the authorities do not put an end to the violence. The Georgian Constitution does make provision for freedom of conscience and belief. Why is the Constitution violated by the authorities? Why are the presidential decrees not implemented? Why do not the authorities realize that sidelining of religious minorities is not contributing to the integrity and unity of the country which is not homogeneous neither ethnically nor religiously?

I do not understand why the Georgian mass media is so reluctant to contribute to the peace and harmony of the society. Why are the criminals who are spreading moral terror in the society given so much time on TV programs to propagate their obscurant ideas and to stir people up against religious minorities?

The same mass media is very reluctant to pay any attention to what is happening in different religious communities. Why do the positive things in the life of religious minorities have no value for them to be reported? Obviously, there are far more things that I do not understand or I pretend I do not understand, but there is one thing that I understand very well.

This should not continue this way. We have to deal very strictly with every single expression of terrorism everywhere and by all means. It is clear that religious or moral terrorism is one of the ugliest faces of world terrorism. Unfortunately, it is not endemic for Georgia.

It is everywhere in every religion, in every culture, but I as a Baptist clergyman declare that religious persecution and discrimination, which is carried out in the name of orthodoxy has nothing to do with the true Orthodox faith, which is a part of the worldwide Body of Christ, Christendom.

My experience with three children tells me that it is easier to take children from the street, but it is much more difficult to take the street attitude out of children. Similarly, our society has come out of communist regime but the old mentality has not come out of our minds.

We, as Georgian Christians, and here I represent not only the Baptist Church but a group of other churches like Evangelical Lutheran Church of Georgia, Armenian Apostolic Church in Georgia, and Roman Catholic Church in Georgia. We are determined to fight back the religious and moral terror in Georgia.

Obviously, our means are limited but our desire to see Georgia prospering both spiritually and materially will help us to overcome all those difficulties we face now.

There are four targets of strategic significance that could be efficient in fighting against religious terrorism; one, family. Understandably, it is as hard a job to implement the post-communist family to such an extent that it nudges its members with the ideas of tolerance, human rights, and democracy.

Nevertheless, if we are serious to develop an open society, we should target the family. Obviously, mass media, school, and religion should be considered as means to reach the above-mentioned results in the family. It will certainly take some time before first positive fruits appear.

The second is mass media. The fastest way of changing the public opinion in relation with religious tolerance could be reached through the mass media, but the mass media is not ready to play such a role simply because their representatives belong to the film society. Considerable work needs to be done to involve them in the work against any expression of religious terrorism.

Third, school and teaching institutions, very often schools play a very negative role. Sometimes some schoolteachers think that the communist ideology has been replaced by orthodoxy. Therefore, they think they should empower the Orthodox faith and religious intolerance for the

children. The Ministry of Education and schools should prepare a curriculum so that both pupils and teachers learn how to respect religious diversity in the society.

Four, is religious congregations, we may call them the Sanctus of moral influence. Religious leaders should help their constituencies to realize that in this post-modern world, it is impossible to live with medieval principles. It may seem easiest to prosecute the clergy that have been responsible for the violence in Georgia, but this will not solve all the problems. They will be considered as martyrs for the Orthodox faith.

If we seek lasting results for religious tolerance, we should work with theological students and their teachers. They should be exposed to reality. They have to be encouraged to learn more than languages, but the one source of their theological education very often is 19th Century ultra fundamentalist theological literature in Russian.

Without diligent work on these four targets, it will be very difficult to fight not only religious terrorism but terrorism in general. The process of mobilization in this respect can be the ally for fighting terrorism globally. That is to say that the problem of religious persecution and terrorism in Georgia should be considered a part of global issues.

I believe that with common efforts of all people of good will, we can handle the problem. Peaceful development in every nation of the world with due respect of religious liberty should not have any alternatives. Our hope is the future should not be overshadowed by the turmoil of religious persecution of present time.

Mr. Chairman, Congressmen, ladies and gentlemen, in conclusion let me summarize the concerns of religious minorities and all men and women of good will in the Republic of Georgia. Bible burning, destruction and desecration of churches and places of worship, physical attacks on bishops, pastors [inaudible.], false propaganda on media, government inability to act, police not willing to protect, the fear of the unknown, these are the things that should not be tolerated in any country or in any culture.

We are pleased that the United States of America has been the champion in the world for religious liberty and we also would like to experience the same full religious liberty in Georgia. Thank you very much for your concern and determination to ensure religious liberty and human rights all over the world. God bless you.

Mr. SMITH. Bishop Songulashvili thank you very much for that statement. It was very powerful and very comprehensive. I would like to ask Mr. Gudadze if he would make his presentation.

**GENADI GUDADZE, CHAIRMAN, UNION OF
JEHOVAH'S WITNESSES IN GEORGIA,
TBILISI, GEORGIA**

Mr. GUDADZE [through translator]. Thank you. My name is Genadi Gudadze. I would like to thank the members of the United States Commission on Security and Cooperation in Europe for allowing me to testify on behalf of the 15,000 Jehovah's Witnesses in Georgia. My family has been associated with Jehovah's Witnesses since 1959.

Under the Soviet government, we were officially banned. Personally, I spent 3 years in the Georgian prisons and 1½ years in Siberia because of my faith.

However, even during those difficult times, there was no violence against Jehovah's Witnesses such as we are experiencing presently in Georgia. Since 1991, Jehovah's Witnesses were usually able to meet peacefully throughout Georgia.

However, the situation changed suddenly in October 1999. Since then, there have been 133 separate incidents involving either mob attacks, individual attacks, or destruction of property. More than 745 criminal complaints have been filed.

During the last 3 years, Jehovah's Witnesses have been attacked while meeting privately in their homes and assaulted while walking on the street. Elderly people have been savagely beaten and injured, along with pregnant women and children. Large mobs, in the presence of police, have carried out massive attacks, blocked main highways, and attacked busloads of people.

The reign of terror continues. What is the solution? I assume it is not presidential decree, because Georgian courts, prosecutor's office, minister of interior do not obey it. Then what is solution?

It is very simple. Apply the law, arrest the criminals, and among them, those policemen who cooperate with them.

Thank you very much.

Mr. SMITH. Thank you very much for your excellent statement.

I would like now to ask Dr. Nodia if he would make his presentation.

**DR. GHIA NODIA, DIRECTOR,
CAUCASUS INSTITUTE FOR PEACE, DEVELOPMENT AND
DEMOCRACY, TBILISI, GEORGIA**

Dr. NODIA. Mr. Co-Chairman and ladies and gentlemen, I have prepared longer written testimony, where I address issues of security problems, general political development, and several more specific human rights issues. Here, I will mostly focus on the security situation and its implications for the human rights situation and the political situation in Georgia. Considering that we have other witnesses who have spoken more on the religious violence issue, although I want, from the very beginning, to say that religious violence is probably the single most outrageous instance of human rights violations in Georgia and a deeply embarrassing matter for our country. I also want to say that this trend is dangerous not only because religious violence is bad by itself, but also because the impunity of this violence spreads into other spheres of life. I think that—I personally consider it a very dangerous and only starting trend, the spread of political violence, which has already showed itself in the elections in 2001 and local elections this June. There are quite serious concerns that this trend may spread further in certain developments when some groups take the liberty to decide who can meet their supporters or who can address people or who cannot.

When some people openly say that, "I will not allow this and this person to be elected," it recalls of the period of early 1990s, when the competition for power was mainly with arms rather than through democratic procedures. Of course, we are luckily still quite far from that period of warlords and anarchy, but still some very disturbing analogies can be drawn.

But as I said, I will focus on the issue—which is at this moment most painful for the country, and this is the problem of the Pankisi Gorge. First of all, I will say that while this issue is mostly publicized for its role in the crisis in relations between Russia and Georgia, Pankisi has been a problem for Georgia not only because of relations with Russia.

It has mostly been a big problem for the country during the last 2 or so years, because it has become a lawless area. There is a very high level of criminality. It has become a safe haven for the arms trade, drug trade, and especially the business of kidnapping people. Exactly because of that, the Pankisi Gorge has caused very great indignation among the public, and it has highlighted the weakness of the Georgian state and the corruption in law enforcement agencies.

So, of course, this problem started after the second Chechen war and the wave of refugees—inflow of refugees from the war zone, and it brought along some kind of objective problems. It was very difficult, really difficult for the Georgian Government to deal with these problems, because it was very hard to define who is a terrorist or fighter and who is just a young Chechen male. Of course, the Georgian Government had no material possibility to seal the border between Chechnya and Russia, as Russia has not had that possibility, either.

But, of course, still, the Georgian Government, I think, should take the blame for the failure to tackle this problem in a timely and adequate manner. The main reason was not only insufficient capacity of the Georgian law enforcement but the rampant corruption in those institutions and the complicity of high-ranking leaders of security and police forces in the criminal business that was thriving in Pankisi.

Of course, these kidnappings could not have been perpetrated by only Chechens or Kisti. It included also several more Georgian criminal rings. Also, there is widespread belief that officers of Georgian law enforcement were implicated in this. But having said that, I do not want to imply that somehow Russia's threats and ultimatums have any justification with relation to the problem of Pankisi, especially because now, it is a time when the Georgian Government has at last started really to address the issue and do something there. I think that, in itself, is a very good development and is probably highly indicative that Russia has stepped up its pressure exactly when Georgia started to address the issue.

So I think that while Russia has understandable and legitimate security concerns about Pankisi Gorge because of its relation to the problem of Chechnya, I do not think the real motivation of the Russian Government here is about addressing this issue. I think Russia has several motivations.

First, I believe that the Russian strategy here is to transfer their war, or, at least in part, outside the territory of Russia. It started to pursue this goal from the very beginning of the war, when it demanded the rights to pursue the Chechens to Pankisi Gorge. Of course, these terms of cooperation that no Georgian Government would accept, because it would mean the transfer of the war onto Georgian territory, and Georgia somehow fighting the Russian war, which was also morally quite dubious to say the least.

At this point, in the last period, I think the main problem is that Russia is not successful in fighting this war, and it really looks for a scapegoat, for somebody else to blame for its failure to finish this war in such a way that would be acceptable to the Russian public. Georgia is a

most likely scapegoat for this. Russia also appears to be looking for a pretext to punish Georgia for allowing the West, especially the United States, to play an active role in the Caucasus, something that the Russian politicians call squeezing Russia out of the region. This is obvious when you look at Russian television and listen to Russian politicians across the political spectrum.

So I think that this new crisis between Russia and Georgia over Pankisi really started this spring, when the train-and-equip program was announced. I remember watching Russian television on that date where the message was that Georgia will be punished for this, although officially, of course, Russian president endorsed this program in some way.

Of course, the most disturbing thing for Georgia is that Russia very openly and consistently links this issue of Pankisi with the issue of Iraq. Again, we see discussions with Russian politicians when they say all of them agree that if the United States hits Iraq, then, of course, Russia should go into Georgia. If not, then we can discuss the issue first. That is the message that we hear from Russia.

Of course, this causes very grave concerns in Georgian society, and under the circumstances, main hopes are usually pinned on Washington, because people in Georgia think that our bargaining position with Russia is very weak in that sense. So what does it mean for internal politics of Georgia? I think the general situation is such that in the last 2 years, we have seen the trend toward more active public politics in Georgia, so to say, when the opposition is strengthened, vis-a-vis, an unpopular President Shevardnadze and his government. So the political life has become more tense, but also more participatory at the same time, and this trend toward greater participation is, I think, maybe the most encouraging trend in the last 2 years in Georgian politics.

However, I think that these Russian ultimatums and threats have somehow halted its development. It was to some extent good, quote, unquote, for the government, in the sense that now, large parts of the political elite have consolidated around the president. It is less likely that very harsh anti-government political campaign will continue.

But, of course, in the middle and long run, we do not know how that will turn for the Georgian Government, and democracy in Georgia, because if the government does not show that it is really consistent and decisive in this political crisis, it may play against it.

So I think that this Russian threat, on the one hand, increases the possibility, in the long run, at least—the probability of greater instability in Georgia if the government really fails to meet these Russian threats in due manner, or, on the other hand, it may give an excuse to the government to somehow behave in a more authoritarian manner. Although at this point, it is more a possibility—I do not think that the last—the last developments would not give me the possibility to say that these trends are already working.

Thank you.

Mr. SMITH. Dr. Nodia, thank you very much for your testimony. Your full statement will be made a part of the record, as will those of all the witnesses at today's hearing.

Professor Jones?

**STEPHEN JONES, PROFESSOR,
MOUNT HOLYOKE COLLEGE, MASSACHUSETTS**

Prof. JONES. Thank you, Mr. Co-Chairman, for inviting me to the Commission to present my statement. I have been studying Georgia for more than 23 years, and I am very concerned about the situation in the country, and I must admit that it pains me to see what is happening today.

I did testify to this Commission in 1995, and I concluded then that “the concentration of power in Shevardnadze’s hands and the retention of conservative apparatchiki in policy-making positions is undermining popular faith in institutions of democracy and the market. Shevardnadze may have managed to save the Georgian ship of state, but has given it little direction.”

Well, after 7 years, I am back here in 2002. More than \$700 million of U.S. aid has been spent on Georgia between 1995 and 2002, I am afraid that today, I might use those very same words when I conclude my statement. In the year 2000, USAID spent \$52 million in Georgia, restructuring its energy system. That same year, the U.S. Government spent \$35 million on border defense and on the Georgian armed forces; \$7 million on conflict resolution; and \$14 million on judicial reform, rehabilitation of the health system, and privatization. Yet there’s little indication that this investment has made much difference in Georgia.

When I was in Georgia in the fall of 2001, there were blockades on the streets by citizens angered at electricity blackouts. There was an occupation of Rustavi, the most popular independent TV channel, by security ministry officials. There were prolonged protests outside Parliament, leading to the mass resignation of government ministers; the bombing of Georgian villages by Russian planes; an incursion of Chechen fighters into the Kodori Valley; and the election of a new South Ossetian president in December, more antagonistic, it seemed, to reintegration with Georgia than his predecessor.

Conflict resolution in secessionist Abkhazia remained at a dead end. The judicial reform that was greeted with such fanfare in 1998 had petered out. Corruption in the process of privatization or the obscure process of privatization continued to undermine the faith of ordinary citizens in economic and political reform in Georgia.

It would be absurd, however, to suggest that there has been no progress in Georgia since I was last here in 1995. Shevardnadze has ended the para-militaries’ rule in Georgia. Civil strife has largely come to an end. He cured hyper-inflation and stemmed territorial fragmentation. He has, if you like, de-radicalized the Georgian nationalist revolution. He has introduced economic reforms and established a Constitution that still stands and still works.

Nevertheless, this progress, in which Western governments and international organizations have invested so much, is built on the thinnest of ice. The fragile stability in Georgia today is maintained by social and political forces that, in the long term, are going to bring it down, and along with it U.S. hopes of a sturdy, liberal, democratic ally in the region.

Thus, corruption and migration—and migration is an important safety valve for the unemployed and discontented in Georgia—public cynicism, and a poorly organized civil society sustain the system’s stability today. But tomorrow, these same phenomena will undermine any future prospect of sustainable reform in Georgia. That means unless something

changes in the current Georgian Government policy, I am going to be back before this committee in 7 years' time repeating what I said in 1995 and what I am saying today.

By most criteria, we might call Georgia democratic, although, in my mind, there are serious questions as to whether elected officials have effective power over the government and whether elections, such as the 2000 presidential election, can be described as fair and honest. Other attributes of democracy, though imperfect, are basically in place in Georgia, such as free expression, the right to create political parties and associations, the right to run for elective office, and the existence of alternative sources of information.

Nevertheless, despite these gains, for the ordinary Georgian citizen, the expectations of democratic life, such as accountable officials, defense against corrupt judges and police, a responsive government and electoral power, have not been fulfilled. Civil liberties are inadequately protected or inadequately understood. In the regions, talk of local self-governments, I am afraid, is just that, talk.

There are many reasons why Georgia is failing its citizens, but I will mention only three, and I am going to focus on these areas, because I think Western governments have also failed to establish an effective strategy for helping Georgia in these areas.

The first concern is economic security. Undoubtedly, impoverished democracies exist. But studies do show that moderate growth, a higher per capita income, and declining inequality are the best means for sustaining democratic institutions.

Even with estimates, taking into account popular participation in the shadow economy in Georgia, 40 percent of the Georgian population has a combined monetary and non-monetary income below subsistence level. J.K. Galbraith has remarked that "nothing sets a stronger limit on the liberty of a citizen than a total absence of money."

In Georgia, Western policies of democracy building, I think, have overlooked this basic tenet. Until Georgian citizens' economic and physical security is mediated in some way, democratization in Georgia will have little chance of success, and the successful integration of national minorities into the Georgian state is unlikely to occur.

The second issue concerns Georgia's state capacity. No government can sustain reform without the proper institutional means to follow through on the reform's implementation. A few figures, I think, illustrate the problem.

Compared to 1989, Georgia's current economy has shrunk 67 percent. Industry is working at 20 percent of its capacity. Between 1997 and 2000, expenditure on defense decreased from \$51.9 million to \$13.6 million; education from \$35.6 million to \$13.9 million; and I could go on. The state's inability to fund its social insurance and employment funds; maintain its army, education, and transport; or stimulate agriculture and industry has led the majority of the population to view the state as irrelevant, unrepresentative, and corrupt.

Supplying Western aid, such as the U.S. train-and-equip program for the Georgian army, which is aimed to help Georgians fight Chechen terrorists, will not be effective if the Georgian state cannot do its part and pay its soldiers and feed them properly. A strong fighting force to defend Georgia's borders cannot be built on the base of an impoverished and demoralized army. Any action is unlikely to be effective in Pankisi until many very serious social and economic problems are tackled there which were present before the start of the second Chechen war.

The transition to democracy and the effective impact of aid must start with the premise of a coherent and functioning state. A weak state is unable to promote good government, cannot control bad government, and will inevitably mispend Western aid.

The third issue is political and public support for reform. There are scattered reformers in the Georgian Government, even ministers, but they are powerless, and they do not have the support of the president. Sound opinion poll research suggests that even if state elites wish to reform, they would find it very difficult to convince a profoundly alienated population that they were genuine. Data suggests that 56.8 percent of the population do not trust the courts, 64 percent do not trust Parliament, 79 percent do not trust the tax administration—maybe that's not so surprising—and 65 percent do not trust the president.

Such degrees of alienation will kill most attempts at reform before they even begin. The cycle of distrust can only be broken with visible government measures taken to end the control of corrupt, political, and economic networks, and the U.S. Government must play its role here by strongly urging Shevardnadze to do so and the possible use of sanctions if he does not.

A poll in December 2001, conducted by the Georgian Research Firm SOCIOGEO suggested that Georgia's cumulative problems and the ineffective backing of the United States for reform could decrease faith in the United States among Georgian citizens. Forty-three percent of Georgians polled — and the figure was 24 percent in 1999—favored closer security ties with Russia and the CIS, rather than the USA.

Now, after the recent bombing, it is likely that those figures have changed. But they are an indication that the United States itself cannot take popular support in Georgia for granted if it backs a government seen by many as indifferent to its citizens' welfare.

Ultimately, of course, Georgians are responsible for building a sustainable democracy. But Western aid is an important instrument in shaping, stimulating, and sustaining reform, and so far, this aid has largely been ineffective in doing so.

I would like to mention four or five possible recommendations in conclusion. I would like to see much stronger and focused strategies of Western aid in Georgia that combine democracy promotion with poverty eradication. I think that is extremely important. The two go together.

Secondly, I would like to see a major expansion of programs like the World Bank Social Investment Fund for infrastructural and employment projects in Georgia; thirdly, Western aid agencies need to promote Georgia's needs rather than donors' needs; and, fourthly, an emphasis on results rather than, again, donors' institutional goals. Finally, what I would like to see would be a program to rebuild Georgia's schools and to launch civil rights education from a very early age.

Thank you.

MR. SMITH. Mr. Jones, thank you very much for your testimony, and there seems to be some overlap in terms of concern and where part of the focus ought to be. The Bishop earlier had mentioned the importance of school and teacher institution training, which was your last point in terms of civil and human rights training at the school level.

So I do thank you all for your testimony. It has been very helpful and enlightening. I do have a couple of questions.

Bishop Songulashvili, you mentioned that we have focused much of this hearing on government and what we can get—or the efforts to prod and to admonish the Government of Georgia to be more proactive and more results oriented. You know, it is one thing for President Shevardnadze to make a good statement. It is quite another thing to translate that into an actual concrete plan of action to end this horrific harassment and persecution of people of faith.

I noted, Bishop, in your statement, you said, “I, as a Baptist clergyman, declare that religious persecution and discrimination carried out in the name of Orthodoxy has nothing to do with the true Orthodoxy, which is a part of the worldwide Body of Christ.” I, too, am a believer, and I am a Catholic, Roman Catholic, and I am outraged when anyone’s faith is attacked, especially when it is attacked in the name of faith.

I noted with great sadness the statement made on February 10 of this year by Metropolitan Atanase, when he said, talking about our friends in the Jehovah’s Witness belief:

We do not want a peaceful way. We want war. No peaceful way will help them. They are a crazy sect. Mkalavishvili is acting bravely. I have much esteem for his priesthood. We do not expel him. Do I expel him? I am a very important person in Georgia. I do not expel him. No sect, neither Jehovah’s, neither Baptists, neither Sectarians, neither Anglicans, neither Protestants, neither Pentecostals—we do not want any sect. We are a nation of Orthodox chalcedonic faith.

A crazy man spoke about him, says Mkalavishvili, is it from Liberty or what... help me. Somebody crazy from Liberty Institute that tells him, ‘you break our computers and the other things.’ It is not only the computers that you have to break. They should be shot. If it were the old times, I would have them put in a dungeon.

There can be no tolerance. Neither can there be ideological calmness. We must carry on warfare. We must annihilate them. That’s the end. I wanted you to come so I could say these things to you.

All this was said on public television. These statements are the ravings of the lunatic fringe, and when we can juxtapose that to His Holiness, Ilya II, who said that persecution on religious grounds is totally alien to our way of life and traditions.

My question, frankly, is how does someone who has the rank and continues to have that rank, Metropolitan, in good standing, make these kinds of statements that are absolutely filled with hate? These are the kinds of things you would expect from the Nazis and from others who waged war against believers, and yet he seems to have some following. I wonder if you might want to comment on this.

I mean, if he would like—and I would issue an invitation to come and testify, I am sure we would have every member of this Commission here to take him to task for that kind of hate speech that incites others to acts of barbarism and terrorism. How is this reconciled? Why does he remain in the church in good standing? It baffles me.

Bishop SONGULASHVILI. I have to answer, Mr. Chairman, with great sadness that Metropolitan Atanase does express feeling of most clergy.

Mr. SMITH. Did you say most?

Bishop SONGULASHVILI. Yes. I did maintain in my address that what is being done in Georgia has nothing to do with true Orthodoxy. The problem with the Georgian Orthodox Church is that the church—the clergy has no opportunity to train the clergy. Most of the clergy have very little, if any, theological education. Therefore, they do not have wide understanding of Body of Christ.

The Orthodox Church belongs to the wide—Christendom. This lack of education—I think this is a key word—lack of education, not only for clergy, but wider society as well, is a main problem for religious violence and economic situation and problems we are facing now in Georgia.

I wish there was an easier way to educate them and integrate them into wider Christian body. But I am afraid it is going to take some time and patience from this side of the world community and different churches until the Orthodox Church gets rid of narrow understanding of Christianity and its role in the culture of Georgia.

Mr. SMITH. What can be done by the government, though, to end this kind of hatemongering speech, which incites people to take mob action against Jehovah's Witnesses and others? Would a new law, the law that is under consideration—is that part of the solution, or does that exacerbate the problem? Why can't a government that has, as one of our witnesses said—Mr. Jones, I believe—Professor Jones, I think you said it—you know—Shevardnadze concentrated his power. He does have power. He has significant power. Why can't he use it more effectively to end this kind of hatemongering?

Bishop SONGULASHVILI. Well, this is a very good question. Why the government doesn't—it is very hard to tell, because it should not be difficult, especially in the beginning of these atrocities, to put this chap or other people following him into jail. But the government did not react adequately, did not react in time, so it allowed this group of people to grow and find more followers.

In this society, where the economy is down, where there is poverty, there is hunger, it is very easy to appeal to feelings of people, appealing to fight against religious minorities and looking at them as scapegoats for all the bad things and all the atrocities happening in the country.

Mr. SMITH. Let me ask—would anybody like to comment?

Dr. NODIA. That is, of course, the main question, maybe, why the government does not do anything. So the issue that Shevardnadze has power—it depends on how you interpret it. Shevardnadze has been successful in others not having power. But it does not mean necessarily that he has effective power in the way to design and implement policies. His power is based on balancing different power centers against each other, so that he has the power of the arbiter, the role of the arbiter. But he is not so effective in implementing policies.

So when you speak in private with different government ministers, who may be personally very much appalled also by what is happening, their explanation is that there is quite strong public support of some large part of the public for religious violence, or at least there is the support of the idea that religious groups, especially so-called new sectarian groups, should be restricted. Until the government does it, until then, such kinds of violence is justified or has some kind of excuse. Unfortunately, this kind of view is quite popular.

So the government would say, maybe not in public, but in private, that they are afraid that if they really do something against these groups, then that will cause some kind of backlash, which they are afraid of. So I think this inaction in the issue of religious minorities is just one instance of government's general indecision and ineptness in addressing many other issues. Their strategy somehow when there is some conflict situation or potential conflicts on how to avoid it—to calm it down and so on.

Of course, there is also another that some civil society activists share; that the government is really interested in religious tensions developing, because it somehow takes attention away from the social and economic conditions and difficulties Professor Jones has mentioned. This problem with electricity and shortage of electricity has led to large scale public turmoil, really, and the government is very much afraid that if these socially-based protests develop and are somehow led by some politicians, that may lead to some very unfortunate developments for themselves.

So they may have some interest in shifting the public attention toward other issues that are not so threatening to them, personally. I do not think that there is a very specific strategy of the government to do this, but maybe instinctively, also, this motivation also plays some role.

Mr. SMITH. Should we be doing—Professeor Jones? I am sorry.

Prof. JONES. Could I very quickly comment on what Dr. Nodia said? I am not sure whether it is entirely the question of power. I do think that Shevardnadze has the power, but I think that the way that Shevardnadze deals with issues is different from, for example, the way he dealt with them from '92 to '96, '97.

I think that Shevardnadze is no longer interested in taking the sorts of risks that he was capable of doing before. So maybe power is not the word. Maybe it is the willingness to take risks or even courage to take political risks, and that is the way I would look at it rather than an absence of power.

Mr. SMITH. You know, Ambassador Mikeladze, in his statement, made a very strong statement—I do not recall if he read it in its entirety, but it is in his written statement—quoting President Shevardnadze, saying all acts of harassment and physical violence will be prosecuted, and the perpetrators will be held accountable before the law. He pointed out that there has been this long-standing tradition—and I would ask you to comment on that as well—of religious tolerance in Georgia, and he said until recently, there were no signs of religious intolerance in Georgia.

Is that accurate? Again, President Shevardnadze, as he says in his statement, is stating that he will prosecute the perpetrators before the law.

Yes, Bishop?

Bishop SONGULASHVILI. Unfortunately, we have become witnesses of religious intolerance and violence recently. A Russian-speaking Pentecostal congregation was attacked recently several times, this time not by the followers of [inaudible.] and others, but representatives of the (OFF-MIKE) Orthodox Church.

A couple of weeks ago, the bishop of a Catholic Church in Georgia was also attacked along with his clergy physically, and again, it was not done by the representatives of the breakaway group from the Orthodox Church, by the defrocked clergymen, but rather representatives of one

of the Eastern Georgian Orthodox parishes belonging to the (OFF-MIKE) Orthodox Church. I am regretfully recording these recent developments, recent violence and attacks, on religious minorities.

Mr. SMITH. One thing that I heard a moment ago was how there might be a backlash if bold and effective action were to be taken. Those same kinds of statements were made, particularly in the southern part of the United States, when efforts were being made by Martin Luther King, Jr. and others to bring civil rights and to get rid of the segregation laws that were two-tiered and very unfair and prejudicial.

But the backing of the military and the backing of sufficient law enforcement to say there is a standard, and it will be followed, and if arrests need to be made, they will be made—and that did break the back of the segregationists. Law coupled with proper enforcement—it seems that in their statements, whether it be by the Parliament or by the President, they have got it right in terms of rhetoric.

Mr. SMITH. Now, it seems to me that if you break the hatemongers and break the leadership, the masses that are easily aroused to violence will be without a leader, like chopping off the head of a snake, the rest of it is of no use—they will dissipate, I would respectfully submit. I would hope that more boldness rather than less would be emanating from Tbilisi and from the Shevardnadze government, because this will become an increasing, not a lessening, impediment to a closer U.S.-Georgian relationship.

We plan, in this Commission, as we have in the past—we plan to accelerate our focus on this, I can assure you. You have bravely come to this hearing. You have bravely spoken out, and we plan on doing whatever we can in every forum possible. Perhaps it means linking aid to Georgia, as you pointed out, Professor Jones, \$700 million in aid since 1995—you know, perhaps it is time to start looking for some linkages to an ending of this religious persecution, and I think we need to proceed on that track.

We plan—it will not be seven years before the next hearing. It'll be less than 7 months. We hope within about 6 months or so to convene another hearing, and if some of the antagonists—if the Metropolitan himself wants to come and testify, he is welcome to give an account for his hatemongering among the people of Georgia, and we would look forward to hearing him and, frankly, grilling him on that kind of hate speech and hate actions.

Would any of you like to add anything before we conclude this hearing?

If not, I would like to thank you again for coming forward. We look forward to working with you, and our only hope here is to try to promote human rights, democracy, and to protect the sovereignty of Georgia, as we spoke about earlier, from any forays by the Russians. I do want to thank you, and we appreciate your testimony.

The hearing is adjourned.

[Whereupon, at 4:37 p.m., the hearing was adjourned.]

APPENDICES

PREPARED STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

We convene today's hearing as developments in the Republic of Georgia appear almost on a daily basis in our newspapers. Given the involvement of scores of Coloradans in the U.S.- sponsored train and equip program, I am particularly concerned over threats to the sovereignty and independence of Georgia that could impact U.S. forces deployed in that country.

As Chairman of the Commission on Security and Cooperation in Europe, I am concerned over a myriad of problems that plague Georgia a decade after restoration of its independence. This year also marks 10 years of Georgia's participation in the Organization for Security and Cooperation in Europe (OSCE).

In the human dimension, I am especially concerned about the ongoing campaign of violence against Jehovah's Witnesses and members of other minority faiths. The leadership of the Helsinki Commission and other members of the Senate and House have been in correspondence with President Shevardnadze about this disturbing pattern of attacks. The Georgian President has assured us that the problem will be appropriately addressed and the perpetrators arrested. So far, however, the culprits remain at liberty. I hope that growing international attention to this issue will have the desired effect of quelling mob violence. Whatever difficulties might ensue from the arrest, indictment and sentencing of these criminals, allowing them to continue targeting innocent believers of another confession is an even greater threat to Georgian democracy and, indeed, stability.

Precisely that stability, I fear, is at risk from outside the country as well. In the security dimension, we have heard the recent saber-rattling from Moscow with alarm; Russian planes have already bombed Georgian territory, killing Georgian civilians. Meanwhile, the Russian Federation continues to maintain military bases on Georgian territory. Any unilateral Russian military action on Georgian territory, which Russian generals constantly threaten, would cause a crisis not only in Russo-Georgian relations but would greatly complicate ties between Moscow and Washington.

In this regard, let there be no mistake concerning our strong support for the sovereignty and territorial integrity of Georgia. The OSCE, which has significantly increased its presence on the ground in Georgia, can play a valuable role in addressing the current crisis as well as longstanding conflicts that pose a threat to an independent Georgia.

**PREPARED STATEMENT OF
HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN,
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

Ladies and Gentlemen, welcome to this Helsinki Commission hearing on democracy, human rights and security in Georgia. Much has happened since 1993, the last time we examined the situation there. On the positive side, a great deal of progress has been made. There are hundreds, if not thousands, of NGOs, scores of political parties, a parliament that has actually developed a role as a legislature, and some feisty, hard-hitting media outlets, especially Rustavi-2 Television. These developments give us cause to hope, reason to take pride in the people of Georgia and are indicative of the grounds for continuing U.S.-Georgian relations.

Nevertheless, in the last few years much of the optimism about Georgia's future has dissipated. Last year, a Georgian official devoted a large part of his public address in Washington to refuting the notion – which was being discussed at the time – that Georgia is a “failed state.” I reject that characterization. But today's hearing is a good opportunity to discuss the serious problems Georgia does face.

Preeminent among them is systemic, rampant corruption, which has impeded economic reforms and sickened the body politic. Despite lectures from the International Monetary Fund, the World Bank and the U.S. Government, Georgia's Government has proved incapable or unwilling to do what is necessary to stamp out this evil – even though President Shevardnadze himself has called corruption a threat to Georgia's security.

There are also grounds for concern about democratization. The last few elections have clearly not met OSCE standards, which makes us worry about the important parliamentary election scheduled for 2003. And the 2005 presidential election will usher in the post-Shevardnadze era in Georgia, with all the attendant uncertainties. Meanwhile, the media and NGOs have been under severe pressure. Last fall, a foolish ploy by the Ministry of Internal Affairs to intimidate Rustavi-2 Television backfired, resulting instead in the fall of the government. While society's response was heartening – thousands of people came out into the streets to defend the station – the attempt to silence one of the country's most popular media outlets indicated that some Georgian officials are still mired in Soviet patterns of thinking.

I am especially concerned and appalled by the ongoing religious violence in Georgia. Since 1999, there has been a campaign of assaults against members of minority faiths, especially Jehovah's Witnesses, which Georgian authorities have tolerated. Occasionally, policemen have even participated in attacks on defenseless men, women and children who have congregated for the purpose of worship. Attempts to bring the perpetrators to justice have foundered, as throngs of fanatics hijack the trial proceedings. If such travesties are allowed to continue, the country's entire judicial system is at risk of falling victim to mob rule.

Though Jehovah's Witnesses have borne the brunt of this savagery, other religious minorities have suffered as well, including Baptists, Pentecostals and Catholics. Earlier this year, for example, a mob invaded a Baptist warehouse, threw the religious literature outside and burnt it. How awful to think that events in Georgia today remind us of Germany in the 1930s.

Georgians have a long tradition of religious tolerance, of which they are rightly proud. It is all the more puzzling, therefore, why religiously-based violence has erupted and continued only in Georgia, of all the post-Soviet states. There may be many explanations for this peculiar phenomenon but there can be no excuse for state toleration of such barbarity. It must end, and it must end now.

In this connection, I would like to single out another point of concern. President Shevardnadze, in his response to our letter last May about religious violence, mentioned the anticipated passage of a law on religion as evidence of government responsiveness. However, a law on religion is not the answer to ending the violence, as current criminal law is sufficient, if the authorities will only apply it. Also, drafts of the religion law currently circulating in the Georgian Parliament are problematic in light of Georgia's OSCE commitments, as they would create intrusive bureaucratic hurdles for minority groups to overcome, thereby constructing avenues for the government to ban unpopular religious communities. The answer to the violence is not regulation of the persecuted groups through a new law, but enforcement of current criminal statutes. Consequently, we will carefully follow the legislative process, and if a religion law is eventually adopted, it should meet all OSCE standards on religious freedom.

Turning now to another issue, I have been watching with growing alarm Moscow's campaign of intimidation against Georgia. Russia has been leaning on pro-Western, strategically-located Georgia for years, but the temperature has in the last few weeks approached the boiling point. President Putin's request for United Nations backing for Russian military action against Georgia was not any less objectionable for having been anticipated.

Georgian parliamentarians on September 12 unanimously approved an appeal to the United Nations, the OSCE, the European Union, the Council of Europe, and NATO for protection from anticipated Russian military aggression. Georgian lawmakers should know that their American colleagues have heard their appeal and stand with them. While we are cooperating with Russia in the war against terrorism, we have in no way given Moscow leave to attack Georgia, nor will we do so.

The United States is now more than ever directly engaged in the Caucasus and is stepping up military cooperation with the region's governments, especially Georgia. This hearing offers a timely opportunity to examine Georgia's prospects for democratization, its security situation and how Washington can help advance democracy, human rights and economic liberty in Georgia while leading the battle against international terrorism and defending Georgia's sovereignty.

To discuss these issues, we have assembled an international group of experts. In addition, before our panelists speak, we will show a brief video prepared by the Jehovah's Witnesses that highlights the cruel brutality of the ongoing mob attacks.

**PREPARED STATEMENT OF
HON. STENY H. HOYER, RANKING MEMBER,
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

Mr. Co-Chairman, I visited Georgia in September 1991 with a Congressional Delegation and I am sure that nobody who took part in that trip will ever forget it. I applaud your holding these hearings on a country about which we have been reading a lot lately. Unfortunately, the coverage has focused on serious domestic and foreign problems. To begin with the former, *The New York Times* and the *Christian Science Monitor* published troubling articles on the ongoing violence against religious minorities and NGOs, whereas the *Washington Post* recently reported on President Shevardnadze's slipping position in the country.

Politicians, of course, come and go—even those such as Eduard Shevardnadze, who has played an indisputably important role in recent history. But Georgia is more than one politician-statesman and that is why we are so concerned about the overall trends. Whether in regard to elections, corruption, abductions, conflict resolution and general stability, Georgia often seems on the wrong track—sometimes, in fact, Georgia seems to be headed off the tracks entirely.

Surely President Shevardnadze, who well understands the value of an international reputation, sees the harm done to Georgia's image and position by the continuing campaign of violence against religious minorities. It is frankly mystifying to me why the assaults continue. Is Georgia's Government incapable of acting against hooligans who attack defenseless members of another faith? Or even worse, is Georgia's Government unwilling to protect all its citizens, as Georgia's law and OSCE commitments demand?

The other subject that has drawn much attention is the alleged presence of terrorists in Georgia's Pankisi Gorge, both al-Qaeda and Chechen fighters fleeing from Russia. Russian generals and President Putin have offered assistance in hunting them down, and have insisted on participating in the effort, claiming that Georgia cannot manage on its own. While Georgia surely has a way to go in developing modern, well-equipped military forces, any Russian incursion into Georgia would only worsen the situation and possibly destabilize the entire region.

In this connection, I would like to observe that in the context of the OSCE Parliamentary Assembly, the U.S. Delegation has tried to help Georgia cope with Russian attempts at intimidation. Most recently, at the Annual Meeting in July in Berlin, we supported the Georgians' effort to include the Abkhazia issue on the agenda as a "question of urgency."

In conclusion, we have real concerns about domestic issues in Georgia. As friends of Georgia, we are obligated to raise these issues with Tbilisi in a spirit of constructive criticism.

Nevertheless, let there be no misunderstanding. When it comes to Georgia's sovereignty and territorial integrity, there is no more ardent supporter than the United States. That has been the case for the last ten years and it will be the case in the future as well.

**PREPARED STATEMENT OF
HON. JOSEPH R. PITTS, COMMISSIONER,
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

Mr. Chairman, thank you for holding this timely hearing on The Republic of Georgia: Democracy, Human Rights and Security. It is vital that throughout the world, as we focus on our war against terrorism, that we as a government and nation do not ignore human rights violations for reasons of expediency or cooperation. In a number of nations, governments believe that they can now, because of their cooperation on terrorism issues, violate fundamental rights with impunity.

Unfortunately, in Georgia, there are officials both there and in Russia who have used the war on terrorism as an excuse to violate the rights of the people. Corruption issues make it difficult to crack down on those responsible for the criminal activity.

One issue of particular concern is the attacks on religious minorities. In July of this year, six people were injured in an attack on the Liberty Institute, an organization that works to promote freedom of conscience for all people in Georgia. Reports reveal that the attack was not a random act of crime but was a deliberate attempt at intimidation. There are indications that the dominant religious group in the country desires that other religious groups have no room to operate or practice their faith. In addition, the government proposed draft legislation that some groups feared could severely limit their freedom of speech as well as their ability to practice the relief and social work aspect of their faith. These concerns, and many others, must be addressed thoroughly, effectively, and appropriately by the Government of Georgia.

I look forward to hearing from our distinguished witnesses, particularly regarding their recommendations for how the U.S. government can best assist the people of Georgia as they seek to live in peace and freedom.

**PREPARED STATEMENT OF
HON. GORDON H. SMITH, COMMISSIONER,
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

How long will the Government of Georgia allow the ugliness of unrestrained mob violence to continue? For three long years, non-Georgian Orthodox religious communities have suffered needlessly. Police continue to fail in their fundamental duty of protecting individuals from violence. Efforts by Congress, the State Department, the Council of Europe and the Organization for Security and Cooperation in Europe to move the Georgian Government to end the cycle of religious-based violence have not seen real success. While President Eduard Shevardnadze repeatedly makes statements and proclamations condemning the religious violence, more than rhetoric is needed.

One of the most recent attacks against Jehovah's Witnesses took place in the town of Kaspi. As we have seen repeated all too often, the followers of defrocked Orthodox priest Vasili Mkalavishvili crashed the convention site of Jehovah's Witnesses. However, some Georgian politicians also chimed in beforehand, making incendiary and bigoted statements regarding Jehovah's Witnesses. Thugs reportedly arrived by bus, then ravaged the personal home of the individual hosting the event. Hooligans burned Bibles, religious pamphlets and the host's personal belongings in the yard, even filling the baptismal pool with diesel fuel. Despite explicit communication from the US Embassy in Tbilisi and other human rights groups, Georgian authorities did nothing to prevent the attack or to intervene during the rampage. Reportedly, police, including the local police chief, stood and watched.

Of course, while we expect the Georgian Government to conduct a full investigation that ends with the perpetrators brought to justice, the outstanding 700 plus criminal complaints stemming from over 100 separate attacks is not encouraging. I understand that the Georgian Government is in a precarious position, and fears the unrest that might spring forth if the mob leaders and their followers are arrested. However, I believe that average Georgians would welcome the sight of police officers acting pro-actively. Rule of law is one of the most tangible benefits a government can provide its people.

As an OSCE participating State, the responsibilities of the Georgian Government toward individuals wishing to practice religion or belief are clear. The Helsinki Final Act itself declared States must "recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience." The 1983 Madrid Concluding Document speaks to the situation in Georgia. It declares participating States "agree to take the action necessary to ensure the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience." Unfortunately for all Georgians, their government is not upholding its commitments.

**PREPARED STATEMENT OF
B. LYNN PASCOE, DEPUTY ASSISTANT SECRETARY OF STATE
FOR EUROPEAN AND EURASIAN AFFAIRS,
U.S. DEPARTMENT OF STATE**

Mr. Chairman, I greatly appreciate this opportunity to represent the administration today to discuss with you and your colleagues our policies in Georgia to promote democracy, protect human rights and enhance that nation's security.

We view these three goals as inter-related. For this reason I would like to begin my testimony with a brief discussion of Georgia's security situation, because it has a bearing on its ability to carry out political and economic reforms.

In a much publicized September 11 statement, President Putin asserted what he claimed was Russia's international right to take unilateral military action against Chechen fighters and other terrorists in Georgia's Pankisi Gorge if Georgia did not carry out more active measures against these fighters. He followed his statement with a letter to President Bush, which he copied to the United Nations and world leaders.

The U.S. government immediately responded through public statements and high-level diplomatic channels, stating our unequivocal opposition to any unilateral, military action by Russia inside Georgia. We repeated our strong support for Georgia's sovereignty and territorial integrity, and our belief that security problems in the Pankisi Gorge should be addressed by the Georgians themselves.

We believe that this Russian pressure is due, for the most part, to the presence of armed Chechens and international terrorists on Georgian territory, Georgia's efforts to avoid entanglement in the Chechen War, and perhaps because of Russia's displeasure with Georgia's commitment to the East-West energy transportation corridor. Further, we should not discount the fact that some in Russia viscerally dislike Shevardnadze. Since July 29, there have been five instances of Russian cross-border aerial bombardment of Georgia. During the most recent attack on August 23, which was witnessed by OSCE border monitors and which we confirmed through our own means, Russian bombs claimed the life of a Georgian civilian and wounded seven others. We have strongly urged Georgia to regain control of the Pankisi Gorge where we also believe there are third-country terrorists who have links to al-Qa'ida. They threaten Georgia's security and political stability, as well as Russia's stability. We understand the Russians' concern, but believe this is a problem for the Georgians to resolve. Thus, the United States is attempting to help Georgia address its internal security problems through assistance and cooperative programs, including the Georgia Train and Equip Program (GTEP). The latter is intended to help the Government of Georgia eliminate terrorists, secure its borders, reassert central control over its territory and deny the use of it to foreign militants and international terrorists.

GTEP is a four-phase effort, designed to help the Georgians establish a National Crisis Action Center, to field an operational headquarters, and to train and equip specific units. The GTEP is on track. Headquarters and staff training began in late May with 120 students receiving classroom instruction. In early June, additional staff training for the Land Forces Command (LFC) began and ended with a successful command-post exercise.

Earlier this month, U.S. trainers began the program's third phase in which they are conducting unit-level tactical military training of Ministry of Defense and other security forces. As noted earlier, the intent of the program is to strengthen Georgia's ability to fight terrorism, control its borders and increase internal security. Georgia is already attempting to do this. In recent weeks, it has deployed Interior Ministry troops into the Pankisi Gorge to establish check-points and root out Chechen fighters and criminal and international terrorist elements. These efforts signal Georgia's commitment to restoring Georgian authority in the Pankisi Gorge, and dealing seriously with international terrorists linked to al-Qa'ida. Moscow, however, has dismissed these efforts as "cosmetic," and asserted its right to unilateral military action or joint Russian-Georgian military operations in Georgian territory. We believe Georgia's action represents a serious effort to reassert control in the Pankisi Gorge.

The United States is encouraging Georgia and Russia to work together to promote regional security within their respective territories and to find negotiated, political solutions to their many disagreements. These latter include Russia's periodic cutting off of Georgia's winter gas supply, Russia's stalling of negotiations on political settlement in the break-away Georgian region of Abkhazia, and its delaying of negotiations to meet CFE Istanbul commitments for the withdrawal of Russian military forces still on Georgian territory.

Resolution of the conflict in Abkhazia, which has used armed conflict as a means of seeking independence from Georgia, is of particular importance to us. We are working with the United Nations-sponsored Friends of Georgia group to move forward on the Abkhazia peace process. We continue to press Russia to persuade the Abkhaz leadership to accept the Boden Paper—a proposal supported by all the Friends and by the Security Council—as a basis for political negotiations.

Despite its security problems, Georgia is a potential leader in political and economic reform in the region. It has created a strong framework of legal reform and institutional structures. Georgia's laws are among the region's most compliant with Council of Europe (COE) and World Trade Organization (WTO) norms. With our assistance and encouragement, Georgia has made significant progress in passing democratic reform-oriented legislation, although its implementation has been slower than we have wished. Corruption continues to be a primary obstacle to economic reforms and development. Georgia also still has serious human rights problems, especially police misconduct, torture and pre-trial detention, and harassment of non-traditional religious groups.

More positively, despite these ongoing problems, Georgia has a free press. We are concerned, however, that the murder of independent journalist Sinaya has not yet been solved. Also, it is essential that next year's parliamentary elections meet OSCE standards, and we are discussing with Georgian officials how to ensure a free and fair election.

Georgia's tradition of religious tolerance has been severely challenged by an increasing number of attacks by Georgian Orthodox extremists against human rights advocates as well as against Protestants and non-traditional religious groups, especially Jehovah's Witnesses. Mr. Chairman, we are deeply concerned about these acts. In public statements and in the State Department's annual reports on human rights and religious freedom, we have deplored such attacks. The Secretary of State, Deputy Secretary Armitage, and our Ambassador in Tbilisi are

forcefully pressing the Government of Georgia to take effective measures to punish those who perpetrate such acts and to promote respect for human rights and freedom of religion. We have stressed to President Shevardnadze and his government again and again that poor records on human rights and freedom of religion not only undermine Georgia's efforts at economic and democratic reform, but will also negatively affect our assistance if such problems are not addressed.

Let me say in this latter regard, that we have devoted a large portion of our FREEDOM Support Act budget for Georgia, which totals \$89.6 million in FY-02, to fund activities that directly promote the building of democratic institutions and practices in Georgia. For example, the Departments of State and Justice are sponsoring anti-crime training and a technical assistance program that funds a Justice Department Legal Advisor in Tbilisi. Through this office, the Department of Justice has carried out training for Georgian prosecutors, investigators, judges, members of parliament, and policy makers on various law enforcement and related subjects, including transnational crime, money laundering, public corruption, criminal procedures, excessive force/human rights violations and interrogation techniques. Through the American Bar Association's Central and East European Law Initiative, the U.S. Government has provided significant resources to support human rights through legal clinics and legal service organizations.

We are carrying out programs this year in Georgia for activities that combat the trafficking of persons, a growing problem throughout this region. Other initiatives promote leadership programs that seek to empower Georgian women in areas such as civic activism, community development, public health and education. As part of its democratic reform efforts, the U.S. Agency for International Development supported the drafting of Georgia's first Unified Electoral Code, which was signed into law in August 2001. This code was first implemented during recent parliamentary by-elections. As a result, international observers and domestic monitors alike noted improved election administration.

The United States is also providing local government officials with training in financial management, constituent outreach, service delivery and budget training skills to maximize the limited resources available to local governments in Georgia. We are also focussing programs that have as their goal creating a strong, active citizenry that is able to hold government officials accountable for government services. Our Democracy Commission program has provided small grants to help establish neighborhood committees of residents to monitor and ensure transparency in government. Other FREEDOM Support Act grants underwrite the development of independent print and broadcast media throughout Georgia.

Through our educational and other exchange programs we send every year a growing number of talented young Georgians to the United States. We see this as a crucial investment in the creation of a new generation of western-trained Georgians who will be the future leaders of their country.

The United States is helping Georgia integrate into a wider community of nations based on a commitment to democratization, the rule of law, market economies and an adherence to the Helsinki final acts and other OSCE documents of which Georgia is a signatory.

As I have noted during this presentation, Georgia has serious security problems and also must improve its record in areas including human rights, religious tolerance, and economic and political reform. That is our message of tough love, and we send that message because our bilateral relationship is a strong and close one. Sustaining these relations requires continued progress in all these areas. We have particularly appreciated Georgia's support as a partner of the United States and other coalition members in the global war against terrorism.

We certainly recognize the challenges ahead as we work to help Georgia through the process of political and economic reform and development. But Georgia's importance to the West cannot be overstated. Georgia is a fulcrum for east-west energy pipelines, which will include significant U.S. private-sector involvement. Standing as it does at the historic crossroads among regional powers including Russia, Iran and Turkey, a stable and democratic Georgia will have geo-strategic importance for our international relations far into the future.

Mr. Chairman, I would be happy to answer any questions that you and other members of the Commission have.

**PREPARED STATEMENT OF
HIS EXCELLENCY LEVAN MIKELADZE,
AMBASSADOR OF THE REPUBLIC OF GEORGIA
TO THE UNITED STATES**

Allow me to begin by extending my personal and my Government's gratitude to you Mr. Chairman and the Commission on Security and Cooperation in Europe for inviting me to this meeting which, on the one hand, speaks on the growing interest to my country and the whole region, but also, coincides with the deteriorated security conditions caused by the aggressive and threatening actions of the Russian Federation towards Georgia. Based on the problems described in your letter, Mr. Chairman, I will first elaborate on the state of affairs in the field of democratic institutions and human rights. The protection of human rights is one of the key priorities of Georgia. A series of measures have been implemented to provide the human rights protection. After the adoption of the Constitution of Georgia new legislation has been created which is in line with international law. The Constitutional Court, which plays significant role in the implementation of constitutional guarantees of human rights, was established. The Office of Public Defender of Georgia has performed serious activities. Georgia became a full member of the Council of Europe, ratified the European Convention on Human Rights and other important instruments in the field of human rights protection. Judicial reform has been implemented; NGOs are active and the media seriously participate in political life of the State. In my view, and this is not only my view, since it has been shared by a number of western experts, among the former Soviet republics, and especially among the CIS countries, Georgia has been one of the leading countries in protecting human rights. Georgia is to be given recognition for its achievements in the democratization of the political, social and economic aspects of its development. Georgia's commitment to a free press and respect of political rights have been remarkable in a region of the world not yet known for ensuring respect of basic human rights to their full extent. That is why in diplomatic circles expectations for Georgia are so high. At the same time, it has to be mentioned that serious difficulties still exist in the protection of human rights. The particular matter of concern is the growth of the number of facts relating to religious intolerance, so far there is a lot of complaints on the violations of constitutional human rights. We fully recognize the existing problems in this area and all these cases are publicly discussed in the Parliament, Government and media. Local Elections.

In the light of upcoming parliamentary and presidential elections, the local elections were viewed by the majority of the political parties as some sort of warm up before the "bigger" elections. According to the preliminary data available, the two parties in opposition have taken leading positions in the local elections 2002. These are the "Labor (Shromis) Party of Georgia" (Sh. Natelashvili) and the "National Movement-Democratic Front" (M. Saakashvili). The next places have been won by "The New Rights", so-called "Entrepreneurs", the Christian Conservative Party (Z. Zhvania), etc. Unfortunately, in Tbilisi, Rustavi, Zugdidi and Khashuri many incidents occurred that resulted in violations of electoral procedure. The Central Electoral Commission declared elections, which had been held there, null and void and appointed a date to hold new voting. On 4 June the Central Electoral Commission issued an ordinance #82/2002, which was supported by a vast majority of its

members (14 vs. 4), to re-count electoral bulletins in order to “clarify final results of the elections” held in Tbilisi. This procedure is underway.

ATTACK ON THE NGO “LIBERTY INSTITUTE”

Immediately following this intolerable accident the President of Georgia issued Ordinance #982 (12 July 2002) entitled “On attacks committed against members of the Liberty Institute.” This normative act instituted the criminal proceedings and tasked the appropriate law-enforcement agencies, particularly the Ministry of Interior and the Prosecutor General’s Office of Georgia to ensure immediate and qualified investigation of the fact in question, exploit every legal means available in order to timely disclose the crime and establish perpetrators, and keep society periodically informed regarding the course of the investigation and its results. In conformity with its domestic legislation and international treaties to which it is a State party, Georgia has assumed an obligation to protect the right to freedom of expression. Georgia has acceded to the ICCPR and ECHR, which protect the right of freedom of expression, according to their articles 19 and 10, respectively. In particular, this right includes the right to criticize elected representatives and public servants, who should tolerate a greater degree of criticism than ordinary citizens, as established by the case law of the European Court of Human Rights. Moreover, the Constitution of Georgia (Article 19) also protects the right to freedom of expression; provisions contained in the article under review are fully in line with widely recognized norms and principles of international law. The Government of Georgia has already taken certain legal and practical steps to hold individuals who committed this crime accountable before the law. Respective bodies of the Ministry of Internal Affairs have been investigating the criminal case linked to the attack on the Liberty Institute. A suspect has already been apprehended and the investigative agencies are working now to collect evidence to establish his guilt or innocence. We shall inform all interested institutions in due course concerning results of the ongoing investigation. The Government of Georgia is going to continue to strengthen its efforts to protect free speech.

RELIGIOUS INTOLERANCE: MANIFESTATIONS AND MEASURES TO OVERCOME IT

BACKGROUND

Until recently there were no signs of religious intolerance in Georgia. On the contrary, for centuries in the capital of Georgia temples of different religions coexist peacefully, in the vicinity of each other. Not only Orthodox believers live in Georgia. Hundreds of thousands of Muslims, followers of Armenian Church, Catholics, and Israelites permanently reside in our country and neither Orthodox believers, nor the Georgian state have ever had instances of intolerance. Some problems have recently arisen relating to certain non-traditional religious groups. This is a rather new phenomenon for our country, and some things in this respect proved to be unexpected. It is obvious now that the activities in question have become unacceptable for a significant part of Georgian society. We have uncovered a series of unpleasant incidents, which are linked closely to religious motives. In order to explain the origins of

intolerance directed against religious minority groups, let me describe some recent events. For ages the Georgian Orthodox Church has played specific role in the preservation of our country's statehood and the Georgian nation itself. This role is reflected in the Constitution of our country. (NB. The Constitution of Georgia (Article 9) states that the State recognizes the special role of the Georgian Orthodox Church in the history of Georgia, but simultaneously declares complete freedom of religious belief and confessions and the independence of the Church from the State.) That is why the public feels very strongly about keeping the Georgian Orthodox Church as a keystone of the independent Georgian state, an instrument to protect its historical and cultural heritage and traditions. As a result, certain part of our society expresses its disapproval of the activities of non-traditional religious groups, because, in their opinion, these groups are seeking to undermine the foundations of our state. Obviously, such an approach is erroneous. We need to change this mentality, and we are sure this is only a matter of time. In our opinion, this is the most important prerequisite to put an end to religion-based extremism, in order to restore the traditions of tolerance for which the West is rightly famous. We will ensure that the activities of various religious groups, including both traditional and non-traditional ones, are legally regulated by passing a specific law. Steps made in this regard are being discussed below.

THE PRESIDENT'S APPROACH

When talking about the current situation, we would like to quote first the President of Georgia to emphasize his attitude toward religious tolerance: "I must say that the issue of religious minorities has been the focus of serious concern among our people and the government. Respect for all religious faiths has always been an inseparable part of Georgia's historical heritage. /.../ Yet in the process of building a new democratic society, Georgia has encountered problems involving the members of minority faiths. The relations with Jehovah's Witnesses have become particularly complicated. /.../ In Georgia, I regret to say, the strong sentiments of some groups against Jehovah's Witnesses have on several occasions sparked violent confrontations. Particularly outrageous manifestations of such hostile behavior were the assaults by the defrocked Orthodox priest and his followers on the Jehovah's Witnesses. I strongly condemned this act and called for the punishment of the perpetrators to the fullest extent of the law. /.../ All acts of harassment and physical violence will be prosecuted and the perpetrators will be held accountable before the law."

The Georgian Orthodox Church has made a public statement qualifying the acts of violence against Jehovah's Witnesses as an attempt to discredit the Orthodox Church. In seeking solution to these problems, the Government is currently considering urgent steps to guarantee the equality and freedom of all religions before the law. Promotion of inter-faith dialogue has been widely discussed at Government meetings as well as at the committee hearings of the Parliament. Intensive work is underway on drafting the Law on Religion.

Recently, in his letter to the Members of the US Commission on Security and Cooperation in Europe, the President of Georgia has reiterated his attitudes in this respect: "I strongly condemn any form of religious extremism and religion-based violence. They are absolutely inadmissible and should not go unpunished in any society that calls itself demo-

cratic, let alone civilized. Georgia has always been a tolerant country and it is imperative that this tradition must be continued in the future. I am fully aware that no valid arguments can be advanced to justify acts of violence committed against religious minorities. Any act of this kind is a crime under Georgia's criminal legislation and persons committing them ought to be held responsible. The same is true of law enforcement officials who refuse to perform their duties and look on as angry crowds resort to violence. Let me assure you that I am fully determined to eliminate any further manifestations of religious extremism. As a matter of fact some appropriate steps have been taken to properly investigate all cases, bring perpetrators to justice and punish them in accordance with the existing law." On 16 January 2002 the President of Georgia issued Ordinance entitled "On Measures to be Implemented in Connection with the Public Defender's Six-Month report 2001." According to this document, the Ministry of Justice of Georgia was tasked with elaborating a draft law on the freedom of conscious and religious organizations, in compliance with international obligations of our country in the field of human rights.

STEPS TAKEN BY THE PARLIAMENT

On March 30, 2001 the Parliament of Georgia adopted its Resolution on manifestations of religious extremism. I quote: "The Parliament of Georgia resolves:

- The law enforcement bodies of Georgia should act in full conformity with the Constitution of Georgia and eliminate any manifestations of religious extremism;
- The Public Defender of Georgia should pay particular attention to the manifestations of religion-based crimes and make sure that the religious freedoms of Georgian citizens guaranteed by the Constitution of Georgia, are protected;
- The Parliamentary Committees on the Rule of Law and Administrative Reforms, on Human Rights and Petitions, on Civil Society Building and Integration should elaborate appropriate legislative proposals to regulate the activities of various religious groups;
- The Parliamentary Committee on Human Rights and Petitions and the Committee on Civil Society Building and Integration are responsible to report, on a regular basis, on the implementation of this Resolution."

STEPS TAKEN BY LAW ENFORCEMENT AND JUDICIAL BODIES WITH RESPECT TO THE CASES RELATED TO RELIGION-BASED INTOLERANCE

A series of criminal proceedings were instituted following the facts of religious extremism that entailed mob violence against representatives of various religious minorities (not only Jehovah's Witnesses). The Prosecutor-General's Office has already investigated these cases, and conclusions to indict have been directed to the court. Unfortunately, the court trial has not yet resulted in punishing perpetrators. According to the Prosecutor-General's Office of Georgia, the Tbilisi Prosecutor's Office investigated several criminal cases initiated against defrocked priest B. Mkalavishvili and his accomplices P. Ivanidze and others, and these persons have been brought to criminal responsibility because of committing the following crimes: beating and battery, coercion, illegal obstruction of performance of religious rites, etc. On 5 October 2001 this

criminal case was transferred to the Tbilisi Circuit Court. No decision has yet been rendered. Nevertheless, some quite unacceptable incidents of religion-based violence still persist. The most alarming events are connected with the burning of a great deal of books belonging to the Baptist community of Georgia, in February 2002. NB. According to the data provided by the Prosecutor-General's Office of Georgia (28.08.2002), in connection with various offences committed against religious minorities' interests, 22 criminal cases were instituted in 2000-2002, along with 5 more files on analogous inquiries. Out of these cases 3 were suspended due to failure to disclose them, 7 cases were transferred to the court based on relevant conclusion to indict, 9 cases were joined together and preliminary investigation on it is being performed by the Department of Investigation, Tbilisi Prosecutor's Office, 3 cases are being investigated by Kaspi and Gori MIA investigative services and the MIA Department of Investigation, respectively. On May 17, 2002 the President of Georgia issued a special Decree #240 "On measures aimed at strengthening human rights protection in Georgia." In particular, the President of Georgia has tasked the Procuracy, the Ministry of Justice and the Ministry of Internal Affairs of Georgia with taking corresponding measures to: ensure the implementation of freedom of thought, conscience, religion and belief; investigate and submit to the court each act of violence committed against religious minorities in order to have the perpetrators punished; train personnel in the field of human rights, including the matter of inadmissibility of religion-based intolerance. As you may be aware, in conformity with the principle of separation of powers, the court is independent in our country. Neither the President of Georgia, nor other bodies or officials are allowed to influence the judgments it makes in any way. But, in conformity with the Decree of the President of Georgia, the Council of Justice of Georgia is expected to attach particular attention to the consideration of court cases related to violence, torture or degrading treatment against religious minority groups, so that these cases are tried without any obstacles and undue delay. We are hopeful that after all these assignments are executed, we will be in a position to say – religion-based intolerance in Georgia has no future and manifestations of religiously motivated violence no longer occur. Respect for human rights, recognition of their importance is one of the criteria that cannot be neglected in Georgia. In our past we could not even imagine that somebody could enjoy basic human rights and freedoms. I would like to avail myself of this opportunity and express my hope that freedom of speech and expression, as well as other civil and political rights, will not be jeopardized in the future. These freedoms are a result of our long-lasting struggle and we are not going to give them up.

GEORGIA'S SECURITY AND RELATIONS WITH RUSSIA

The great majority of Georgia's domestic and foreign political problems, particularly those related to its security are, with different intensity, linked to our relations with Russia. Interstate relations today have reached the worst and most dangerous phase in our history.

Georgia is not alone among the post-soviet states. During and after the breakup of the USSR, Russia had a number of serious problems with almost all of this states, particularly, with those who made the establishment of independent statehood their utmost priority.

At issue is what does Russia want from the post-soviet states? Or to change the emphasis, what does Russia not want and will not accept from them? There is only one answer - Russia does not like and does not accept the statehood and sovereignty of its former "junior brothers". Of course this is an oversimplified response. The situation is more complex and intricate. It has a lot of very deep and complex aspects. I am not in a position to speak on behalf of others, but in the case of Georgia, the Russian policy towards us is extremely aggressive, hostile and humiliating. These are the facts: 1) Russia has violated sovereign Georgian airspace repeatedly against our warnings to cease. The Bush administration has condemned these violations of our air space. We have been, in the last two months, bombed half a dozen times. International observers (including Russians) from the OSCE and the United States confirmed those violations. The Russian Federation not only brazenly denies conducting air raids which have resulted in casualties, but it blames the Georgian side that its aviation has bombed its own citizens. 2) Russia has repeatedly attempted to send and deploy units of paratroopers in the Northern regions of Georgia. Only President Shevardnadze's personal involvement in the case and his courageous visit to these regions resolved the situation; 3) Russia says publicly that it recognizes the sovereignty and territorial integrity of neighboring Georgia. But its actions tell a different story. Russia has nurtured separatist movements in the northern regions, supports militarily separatists and integrates Abkhazia and South Ossetia into the Russian Federation, unilaterally introducing the visa regime with Georgia and exempting separatist regions from it. The international community has condemned these attempts to annex parts of Georgia by Russia. 4) Russia is successfully dragging out peace negotiations on the so called "frozen" conflicts. Russia having the status of facilitator in negotiations on Abkhazia and South Ossetia, is blocking the process of negotiations and effectively creating obstacles for rapprochement of conflicting parties. Russia, without any sense of responsibility and discrediting its own role of mediator, facilitator and peacekeeper, openly supports separatism outside and fights it inside the Russian Federation. 5) Russia has not implemented its international commitments made in Istanbul in 1999 regarding the closure and withdrawal of the Russian military bases in Georgia. Russian military base at Gudauta, Abkhazia plays particularly negative role by backing Abkhaz separatist regime since the beginning of the conflict. One of the key principles of CFE Treaty – free consent of host nation on deployment of foreign troops – has been violated. Russia completely ignores all suggestions of the Georgian side to continue negotiations on the withdrawal of RMBs from Georgia, thus hampering the ratification process of the adapted CFE Treaty. 6) Russia, as a main gas supplier, has arbitrarily shut off our gas lines, especially in wintertime. Russia has also attempted to gain full control over the national energy infrastructure, thus undermining independence and sovereignty. 7) The psychological warfare – another favorite tool in Russia's arsenal, is underway. All official mechanisms and structures, including the Parliament and the President are mobilized. Various pro-governmental printing media and TV are daily full of misinformation and false materials on Georgia.

It is well to ask why Russia commits acts of unprovoked aggression against Georgia. I believe four reasons predominate:

- Georgia's movement towards the West;
- Economic projects bypassing Russia in favor of Georgia.
- Georgia's demand for the withdrawal of the Russian military bases and fulfillment of its International commitments;
- President Shevardnadze's personality

I will abstain from presenting of counter-arguments due to the absurdity of these accusations. From the very beginning of the second Chechen war, Russia has accused Georgia of sheltering the Chechen terrorists. Ever since Georgia started its anti-terrorism operation, Georgia has been accused forcing Chechen terrorists to withdraw to the Russian territory.

In the statement of September 11, 2002 the President of the Russian Federation Vladimir Putin gave orders to the ministry of Defense, General Staff and the Federal Services of Security and Boarder Defense of Russia to prepare and present a plan of a military operation to be carried out in Georgia.

The timing of the above-mentioned action was chosen very carefully. Mr. Putin's statement came one day prior to President Bush's speech in New York at the UN General Assembly. Obviously, it was aimed at gaining a trade-off on Iraq and Georgia with USA.

Here I would like to refer to the statement made on September 20th by Senator John McCain: "President Putin of Russia has appropriated American rhetoric in the war against terrorism to justify Russian subversion of the Georgian state. A free Russian hand on Georgia is apparently the price President Putin believes the US is willing to pay for Russia's support for military action against Iraq."

The leadership of the Russian Federation tries to mislead its population and the international community, asserting that it is Georgia that hampers Russia's fight against terrorism. In fact, it is clear that the source of terrorism is in the territory of the Russian Federation itself, which seeks to justify its inability to cope with this problem by putting responsibility for the failure on the neighboring state. Pro-Western Georgia with its President serves very well to this aim.

Russia is shaping public opinion to make the world believe that problems existing in Pankisi beget and fuel troubles in Chechnya and elsewhere in southern Russia. It is hard to imagine a clearer example of confusing the cause and the effect. In reality, problems in Pankisi Gorge have arisen specifically as a result of the military operation conducted in Chechnya, during which Russian armed forces could not or would not keep military actions within the boundaries of Russia and allowed the spreading of the conflict into the territory of a well disposed, friendly, sovereign neighboring nation.

Georgia has repeatedly voiced public warnings regarding inadmissibility and danger of a spillover of the conflict into its territory. Relevant statements were made to all major international organizations. Regretably however, our appeals never evoked a due response from the Russian side. Moreover, according to the available materials, armed individuals were in fact allowed to enter the territory of Georgia through the official Russian border checkpoints.

Russia's mass media and public officials have exacerbated the problem by asserting that Georgia is the main supplier of armaments to the conflict zone; ignoring the fact that the origin of the weapons that Chechens possess is Russian and are spread out from the Russian military bases. This announcement was made by the country that develops

most friendly relations with the states associated with the axis of evil. It is also worth to mention that for arms dealing with terrorists in Sudan, Syria and Lebanon the US Government recently has imposed sanctions on a number of Russian state-owned industries.

Georgia has demanded and achieved the establishment of international control of the Chechen and Ingush segments of the Georgian-Russian State Border. Even Russian experts recognize that Georgian segment of the Russian State border is better protected compared to other sectors of the Chechen border. The activities of the OSCE monitoring mission, which includes a number of Russian observers as well, have clearly demonstrated that there has been no threat to Russia emanating from Georgia. On the other hand, during the same period of time, OSCE observers have recorded numerous violations of Georgia's sovereignty by Russian bombers and military helicopters as they attacked adjacent villages, which caused wounds and loss of life among innocent civilians.

All of the above gives one sufficient ground to think that the issue of the Pankisi Gorge is artificially sustained in order to pressure Georgia to damage its international reputation, to provoke destabilization, to disrupt the implementation of the major economic projects of the Europe-Asia transport corridor and transit of the energy resources from the Caspian region through Georgia, and to discredit an active member of the international anti-terrorist coalition, whose positive contribution to the struggle against terrorism has been noted on many occasions by the leading nations of the aforementioned coalition. The Russian Federation has not been subjected to armed aggression by Georgia, while those armed individuals penetrating the territory of Georgia from Russia and then have been moving back, are mostly citizens of the Russian Federation, who have been methodically "squeezed" out onto the Georgian Territory.

Incidentally, it is worth recalling that some of those who fought in Chechnya had previously received combat experience in 1992-1993 in Abkhazia, in the war against Georgia. At the time, many organized groups of the Chechen fighters led by Basaev, who is currently regarded by Russia as the chief terrorist, were dispatched to Georgia with the assistance of the Russian special services. Any protest on the part of the Georgian Government was inevitably met with a cynical remark that the Russian authorities did not bear any responsibility for the penetration of "volunteers" from the territory of Russia and that Georgia must unilaterally provide the security on its borders. Then all this boomeranged to the Chechen conflict against Russia when those fighters turned their guns against their own patrons.

Today the opposite is asserted regarding the Pankisi Gorge. Repeated attempts are being made to blame Georgia for its inability to provide security for Russia on the Chechen Segment of the Georgian-Russian State Border.

On our part, we have been trying to resolve the conflict by peaceful means. In his letter to the President of the Russian Federation Mr. Putin, President Shevardnadze has once more appealed to the leadership of Russia and the President himself to find common ground, to rise above the existing problems and develop good neighborly relations between our two peoples. We have also indicated readiness to receive an OSCE group of experts, including representatives of the Russian Federation that will be provided with opportunity to visit any site at any

time and will be expected to present a report on the actual situation on the ground. Yet we are convinced that only with an active support of the world community of nations will we manage to maintain territorial integrity and provide security for the Georgian people.

Georgia is open for a real assistance from real friends – we welcome and appreciate the “Train & Equip” program – proper support by the USA to prepare Georgian units for fighting against terrorism, drugs and arms smuggling.

I'd like also to inform you that the Georgian authorities have launched a major antiterrorist operation in close cooperation with the US military advisers to root out terrorists from Pankisi. During a very short period of time the Georgian Armed forces have established full control over the region and we will have more tangible results shortly. President Shevardnadze has proposed expanding international monitoring to prevent fighters coming back and finding shelter in Georgia in the future but it needs also Russia's political will to contribute to it.

We are appealing to the entire international community and particularly to the USA with the hope that they will not allow the violation of the territorial integrity and sovereignty of my country by aggression from one of the mighty military-political powers of the world.

**PREPARED STATEMENT OF
MALKHAZ SONGULASHVILI,
BISHOP, EVANGELICAL BAPTIST UNION OF GEORGIA**

Dear Ladies and Gentlemen,

First of all let me greet all of you on behalf of the Evangelical Baptist Church of Georgia which is the largest Protestant Church in this Orthodox majority country. Our church was established in Georgia 135 years ago and represents today an indigenous community of 18 000 people. Local congregations and smaller groups of the denomination are spread all over the country. By culture the Georgian Baptists remain in many ways Orthodox but by the principles of faith they are Protestants. The Church has always been active in two areas of Christian ministry. On one hand they are committed to evangelism and education, and on the other hand they are deeply involved in social activities for the benefit of the poor and destitute, internally displaced people, refugees, handicapped children, single mothers and street Children.

For 135 years the church suffered a lot of persecution, discrimination, physical and moral harassment. 75 years of communist regime were particularly difficult. In the beginning of the Soviet regime most of the male leadership of the Church became martyrs or were exiled to the Siberia. Due to the faithfulness of the women the church continued to exist and grow. By the end of the Soviet period the Church gained considerable strength.

During the communist time the official dialogue between the Orthodox and Evangelical Baptist churches was initiated. Friendship between the two churches developed to such an extent that there were regular pulpit exchanges between them. Baptist leaders regularly preached at the main Orthodox cathedral in Tbilisi. A Baptist choir regularly sung during the Sunday liturgies. All of this now seems absolutely incredible. With the rise of nationalism a lot of things have changed.

It is already 10 years since Georgia has reemerged as an independent nation. We gained independence but we still have not reached freedom. Old values have gone. New values have not come yet. There will be a very long way to go before we fully appreciate the values of democracy and freedom, basic human rights and a general sense for dignity of the human being.

The question of religious liberty has become a matter of political manipulations. It seems that most of the political parties have come to realize that a pro-Orthodox policy can be very beneficial in their pre-election campaign. On the other hand ultra fundamentalist Orthodox groups are taking their opportunity to increase their war against religious minorities. I have been invited here to bring some clarity about religious violence in Georgia, to answer some questions. But I am afraid I have more questions than answers myself.

I do not understand why the fierce religious intolerance crept into the country of Georgia where religious intolerance was not a big issue in the past. (In fact religious tolerance used to be a matter of national pride. Here I can remember a song which used to be very popular during the eighties: "It does not matter where you pray, just be a gentleman").

I do not understand why the Orthodox church and Orthodox believers do not clearly and boldly condemn when sacrilegious actions are carried out in the name of Orthodoxy, when the heads of non Orthodox people are shaved in the name of the Most Holy Trinity, in order to humiliate

them, when Bibles and other Christian books are burnt publicly with wild joy, when Catholic, Evangelical Baptist and non Christian clergy are attacked physically and are publicly maltreated.

I do not understand why the police are almost completely inactive when people are beaten up for their religious belief, when people's properties are violated and belongings stolen just because they belong to a non Orthodox church or religious group. Very often they say since there is no law about religion we cannot do anything about religious violence. What a silly explanation. It is not an absence of religious legislation which causes religious violence and persecution but rather absence of culture, justice and general law.

I do not understand why authorities do nothing to put an end to the violence. The Georgian Constitution does make provision for freedom of conscience and belief. Why is the Constitution violated by the authorities? Why are the presidential decrees not implemented? Why do not authorities realize that sidelining of religious minorities is not contributing to the integrity and unity of the country which is not homogeneous neither ethnically nor religiously?

I do not understand why the Georgian mass media is so reluctant to contribute to the peace and harmony in the society. Why are the criminals, who are spreading moral terror in the society, given so much time on TV to propagate their obscurant ideas and to stir people up against religious minorities? The same mass media is very reluctant to pay any attention to what is happening in different religious communities. Why do the positive things in the life of religious minorities have no value for them to be reported? For instance, just recently on September 11th, we celebrated a tremendous memorial service at Central Baptist Church to mark the first anniversary of the world's most dreadful tragedy. The service was carried out with the participation of Christians (Orthodox, Catholic, Lutheran, Armenian Apostolic, Baptist), Muslim and Jewish leaders. That was the first occasion when all the religions prayed for peace and reconciliation. Most of Georgian TV channels rigidly refused to film the service. But the same day they gave enough time to speak and show how the day was observed in the rest of the world. This is just a very small example.

Obviously there are far more things that I do not understand but there is one thing that I understand very well: it should not continue this way.

We have to deal very strictly with every single expression of terrorism everywhere and by all means. It is clear that religious or moral terrorism is one of the ugliest faces of world terrorism. Unfortunately it is not endemic for Georgia. It is everywhere, in every religion, in every culture. I as a Baptist clergyman declare that religious persecution and discrimination which is carried out in the name of Orthodoxy has nothing to do with the true Orthodoxy which is a part of the worldwide body of Christ. My experience with street children tells me that it is easier to take children from the street but it is much more difficult to take the street attitudes out of children. Similarly our society has come out of communist regime but the old mentality has not come out of our minds.

We as Georgian Christians (here I represent a group of Churches of which the Evangelical Baptist Church of Georgia is a part along with Lutheran, Armenian Apostolic and Roman Catholic churches) are determined to fight back the religious and moral terror in Georgia. Obviously our means are limited but our desire to see Georgia prospering both spiritually and materially will help us to overcome all those difficulties we face now.

There are four targets of strategic significance which could be efficient in fighting against religious terrorism:

1. Family. Understandably it is the hardest job to influence the post communist family to such an extent that it nurtures its members with the ideas of tolerance, human rights and democracy. Nevertheless if we are serious to develop an open society we should target the family. Obviously Mass media, school and religion should be considered as means to reach the above-mentioned results in the family. It will certainly take some time before first positive fruits appear.
2. Mass media. The fastest way of changing the public opinion in relation with religious tolerance could be reached through the mass media. But the mass media is not ready to play such a role. Simply because their representatives belong to the same society. Considerable work is to be done in order to involve them in the work against any expression of religious terrorism.
3. School and Teaching institution. Very often schools play a very negative role. Sometimes some schoolteachers think that the communist ideology has been replaced by Orthodoxy therefore they think they should impose the Orthodox faith and religious intolerance over the children. The Ministry of Education and schools should prepare curriculum in such a way that both pupils and teachers learn how to respect religious diversity in the society.
4. Religious congregations. We may call it the center of moral influence. Religious leaders should help their constituencies to realize that in this postmodern world it is impossible to live with medieval principles. It may seem easiest to prosecute the clergy that have been responsible for the violence in Georgia but this will not solve all the problems. They will be considered as martyrs for the Orthodox faith. If we seek for lasting results for religious tolerance we should work with theological students and their teachers. They should be exposed to reality. They have to be encouraged to learn modern languages since the only source of their theological education very often is the 19th century ultra fundamentalist literature in Russian.

Without diligent work on these four targets it will be very difficult to fight not only religious terrorism but terrorism in general. The process of globalization in this respect can be the ally for fighting terrorism globally. This is to say that the problem of religious persecution and terrorism in Georgia should be considered as a part of global issues. I believe that with common efforts of all people of good will we can handle the problem. Peaceful development of every nation of the world with due respect of religious liberty should not have any alternative. Let me conclude this speech with the words of an English mystic, Julian of Norwich: "All shall be well, all shall be well, and all manner of things shall be well." Our optimism for the better future should not be overshadowed by the turmoil of the present time.

**PREPARED STATEMENT OF
GENADI GUDADZE, CHAIRMAN,
UNION OF JEHOVAH'S WITNESSES IN GEORGIA**

My name is Genadi Gudadze, and I would like to thank the members of the United States Commission on Security and Cooperation in Europe for allowing me to testify on behalf of the 15,000 Georgian Jehovah's Witnesses in Georgia.

My family has been associated with Jehovah's Witnesses since 1959. Under the Soviet government, we were officially banned. Personally, I spent three years in the Georgian prisons and one-and-a-half-years in Siberia because of my faith. However, even during those difficult times, there was no violence against Jehovah's Witnesses such as we are experiencing presently in Georgia. Now, it is safe to say that if you attack one of Jehovah's Witnesses, you will not be prosecuted.

Since 1991, Jehovah's Witnesses were usually able to meet peacefully throughout Georgia. However, the situation changed abruptly in October 1999. The attack in the Gldani region of Tbilisi came as a surprise to all of us. We expected that the perpetrators, who were well known and recognized, would be prosecuted, and that would end the matter. Instead, two victims of the Gldani attack were prosecuted and convicted. Since then, there have been 133 separate incidents involving either mob attacks, individual attacks or destruction of property.

In your May 15, 2002, letter to President Shevardnadze, you called for vigorous prosecution to punish the perpetrators of mob attacks. Since the Gldani attack on October 17, 1999, 746 criminal complaints have been filed. To date, not one person has been punished. The violence continues.

During the last three years, Jehovah's Witnesses have been attacked while meeting privately in their homes, and assaulted while walking on the street. Teenagers have been beaten by policemen. Individuals have been kidnapped, dragged into the woods, threatened with rape; others have suffered serious injuries. Attempts have been made to murder an entire family. Elderly people have been savagely beaten and injured, along with pregnant women and children. Large mobs, in the presence of police, have carried out massive attacks, blocked main highways, and attacked busloads of people. I was present at many of the attacks, and have personally interviewed many of the other victims. Attacks continue on a weekly basis.

Despite numerous "paper" investigations by the police and the prosecutor, Vasili Mkalavishvili, his followers, and the group, Jvari, with their leader Paata Bluashvili, have not been brought to justice. As recently as August of this year, both of these religious extremists led their followers to attack and destroy two of our convention sites.

The reign of terror continues. What is the solution? It is very simple. Apply the law, arrest the criminals, and punish policemen who cooperate with them.

Please allow me to introduce a video presentation showing a small portion of the 133 attacks against Jehovah's Witnesses. Please note that the attacker themselves have filmed most of the video footage.

**PREPARED STATEMENT OF
DR. GIA NODIA, DIRECTOR,
CAUCASUS INSTITUTE FOR PEACE,
DEVELOPMENT AND DEMOCRACY, TBILISI, GEORGIA**

My initial understanding was that I would testify on human rights situation in Georgia. I now realized, however, that the situation of grave crisis in relations between Georgia and Russia over Pankisi Gorge requires some comments and analysis with regards to what this crisis is about. Therefore my remarks will start with that subject. Later I will also analyze the latest internal political developments in Georgia and its implication for the human rights situation.

Pankisi Gorge is a small mountainous region in Georgia, on the border with Chechnya. It is populated by the ethnic group of Kisti, who are Muslims and ethnic kin of Chechens, but also fairly integrated into the Georgian society: they speak Georgian, have Georgian-sounding names, etc. The Kisti population in the Gorge is estimated at 7-8 thousand. Until the second war in Chechnya, Pankisi was a remote area of which many Georgians probably had never heard. In the period of struggle of independence, when ethnic relations aggravated in several parts of the country, Pankisi was not mentioned as a region that was problematic for any ethnic tensions. In periods of Dudaev's and Maskhadov's rule in Chechnya, many young Kisti went to Chechnya since even extremely volatile situation there promised them better economic and career opportunities than their native region. We did not hear much of Pankisi also during the first Russian-Chechen war in the first half of the 1990s. Pankisi was propelled to international fame since 1999, after the second Chechen war started. The war brought an estimated 4-5 thousand refugees to Pankisi. Many of them were actually Kisti who had moved to Chechnya several years ago. The Georgian public met this inflow of refugees with understanding. These refugees, however, included not just women and children (although these were the majority) but also young and often armed males, who could be described as "fighters." I am not in a position to claim any first-hand knowledge on the number of such "fighters" or their activities. But based on the sources that I have I can say that certainly there existed groups of Chechen fighters who that used Pankisi Gorge as safe haven for regrouping and, probably, venturing back over the border for military/subversive operations. I also know that there were some Arabs who went to Pankisi, married local girls and settled there. I can't say how much their agenda was religious or military (probably, both) and whether they were linked to any international terrorist organizations. The emergence of Chechens and Arabs led to tensions within the Kisti society based on differences between more traditional Islam characteristic for the the region and the new, more radical Wahhabi version of it professed by the newcomers and—under their influence—by some young Kisti.

Such developments led to creation of a set of problems in this tiny region. The main problem was that the Georgian authorities failed to establish any kind of state control in the region. The main reason of that was institutional weakness of the Georgian state. But it was probably not less important that Georgian authorities were wary of any possible incidence of violence that any such attempts might lead to, as they thought that such incidents could eventually take on ethnic coloring and implicate Georgia as some kind of a party to the war. Naturally, Georgians did not want to fight the Russians' war. I also believe

that the syndrome of military failures in Abkhazia and South Ossetia also influenced the Georgian failure to act in Pankisi adequately on the first stage. The Chechen presence in the region created two sets of problems. One was internal: Pankisi soon became a lawless area, a safe haven for illicit business such as drug and arms trafficking as well as kidnaping of people. It soon also became obvious that Pankisi could not play such a role without cooperation with Georgian criminal groups and, most importantly, with Georgian law-enforcement, in particular the police and security forces. Numerous investigative reports in the Georgian media, as well as elite opinion suggested that high level leadership of the law-enforcement agencies were implicated in this illicit business. Numerous instances of kidnaping people, both Georgians and foreigners, caused great public indignation and even prompted the creation of paramilitary groups in the nearby regions who threatened to enter Pankisi and act on their own if the government continued to do nothing. In the eyes of the Georgian public, Pankisi thus became a major metaphor for general inefficacy and corruption of the Georgian government. Its failure to tackle the Pankisi problem contributed a lot to sharp drop of popularity of President Shevardnadze during the last two years. Another set of problems was related to Russia. It is fully understandable that the presence of Chechen armed groups on Georgian territory who could use this territory as a base for attacks against Russia raised legitimate security concerns of the latter. However, from the onset of this situation Russia posed demands to Georgia that it could not accept. Namely, Russia demanded a right to pursue Chechen fighters into Pankisi Gorge and fight them there. This effectively meant enlarging the theatre of the Chechen war into Georgia—and there was no guarantee that this enlargement would be limited to the Pankisi Gorge, or that Russian military engagement in Georgia would be limited in time. No Georgian political leader in his right mind would accept that. Russia responded to the Georgian refusal by introducing visa regime with Georgia. This was obviously intended to be just a punitive measure against Georgia, since it was obvious that the visa regime would be no deterrence for terrorists (or ‘freedom fighters’—whatever term one prefers) who tend to prefer mountainous passes to official checkpoints. Russia’s visa regime did not prove to be an effective punishing measure. Some people in Georgia actually welcomed it as strengthening the country’s independence. However, Georgia protested strongly against exempting from this regime the separatist territories of Abkhazia and South Ossetia. Georgia considered it a creeping annexation of those territories by Russia. This year, Russia made the next step in the same direction by introducing some simplified procedures for people leaving in breakaway territories to obtain Russian citizenship.

Now, to the recent crisis. I would argue that the new stage started with by the announcement of the US “Train and Equip” program. Officially, the Russian president accepted this American initiative since his previous rhetoric did not allow any rational justification for opposing it: through this program Americans were to help Georgians to do what Russia wanted them to do. However, the first reaction of the Russian political elite across the political spectrum was an outrage: It was seen as the US squeezing Russia out of yet another zone of influence in its immediate neighborhood. On the evening when the news broke out, Russian politicians and commentators went on TV publicly saying that this would dearly cost Georgia and might even lead to the end of Geor-

gian state—a hardly concealed threat implying that Russia would and should use its vulnerabilities to destroy it. Shevardnadze personally, of course, took a lot of flak as the major promoter of western interests against Russia. The real crisis started in late August. On August 23rd, Russian military planes bombed Georgian territory hitting a group of peaceful civilians, killing one and injuring several others. However, Russia disowned this attack despite the fact that OSCE monitors saw planes coming from the Russian territory and returning there. Two days later, on August 25th, Georgia moved troops into Pankisi Gorge in what it pointedly called anti-criminal rather than anti-terrorist operation. Soon after this, on September 11 Putin issued an ultimatum, in which he threatened Georgia to militarily invade it unless it solved the Pankisi problem. The most paradoxical aspect of this is, of course, that Russia toughened its stance after Georgia actually started doing what Russia had asked it to do. What kind of sense can we make out of this? I will sum it up in several points:

- The Georgian government carries blame for not addressing the problem of Pankisi adequately and in a timely manner. It should take blame primarily for failing to curb rampant corruption in its law-enforcement agencies that led to aggravating the problem. However, change of leadership in police and security agencies, as well as the US “train and equip” program allowed considerable progress with regards to Pankisi that expressed itself in the current anti-criminal operation. One cannot rule out instances of corrupt activities also in the course of the current operation, but it seems to me that this time the Georgian forces are really motivated to achieve some success.
- Russia has legitimate security concerns about Pankisi and natural expectations that Georgia will cooperate with it in addressing this issue. However, so far Russia has been proposing cooperation on the terms that no Georgian government could accept. Russian behavior vis-à-vis Abkhazia and South Ossetia also suggests that Russia is hardly oriented towards genuine cooperation with Georgia on security issues if the term “cooperation” implies recognition of mutual interests.
- What is the real Russian motivation then? I have three complementary considerations. First, I believe that the Russian strategy was to transfer the war, at least in part, outside Russia’s territory. More recently, taking into account the reality of the protracted war in Chechnya and the difficulty of selling the failure to end it to the Russian public, Putin and his military are in a need of a scapegoat. It seems that the entity to blame is found in Georgia.
- Russia also appears to be looking for a pretext to punish Georgia for allowing the West, especially the United States, to play active role in the Caucasus. In the words of Russian politicians and the media, this is spelled out as “squeezing Russia out of the region.” Public reactions of the Russian public to projects like Baku-Tbilisi-Ceyhan pipeline and, more recently, the “train and equip” program, convinces me that the Russian political elite is far from being reconciled to these developments. In this sense, Russian policies with regard to Georgia have the same root as its opposition to NATO enlargement. Russia singles out Georgia rather than, say, Azerbaijan, because the former is more vulnerable and—

in the Russian view—more likely to crack down under its pressure. Scenarios are often discussed in the Russian media that this pressure would eventually help ouster of President Shevardnadze, who is especially hated by the Russian political establishment, and his replacement by a more pro-Russian political figure.

- Russia seems to be using the Pankisi issue as a bargaining chip with the US in relation to the Iraq issue. Russian politicians and strategists systematically link the two issues. On Russian talk-shows, almost all Russian politicians representing different political groupings agree that in the event USA attacks Iraq, Russia will certainly be justified in attacking Georgia—and should do this. Whether Russia is justified to do this even if USA does not attack Iraq, opinions differ. This means that in reality the issue of Pankisi is related not so much to Russia's immediate security concerns vis-à-vis war in Chechnya, but rather to a wish to strengthen Russia's standing and bargaining position on the global arena. Naturally, there is lots of talk about possible trade-off between Russia and the US: the US would accept Russia's invasion in Georgia in return to Russia's acceptance of the US attack against Iraq. More conspiracy-oriented minds may mean an explicit back-door deal with Russia supporting certain resolution in the Security Council. This, however, seems too unlikely in modern policies. What is more plausible, however, is a some kind of de-facto trade-off: Russia would issue some grudges about US actions in Iraq without any consequence, US would criticize a Russian invasion in Georgia, but will not be able to do much because its hands will be tied by a war in Iraq. This is the scenario that Russians seem to hope for (and openly discuss)—and the Georgians are afraid of.
- Under the circumstances, Georgia pins its hopes mainly on Washington, because Georgians think—I believe, rightly,—that nobody else has any negotiating power with Russians with regards to this issue, and because Russia, while issuing her threats against Georgia, certainly and explicitly links these threats to American political behavior, whether in the South Caucasus or against Iraq. This means that it would be difficult for the Americans to stay dispassionate about the affair. Georgian military capabilities would hardly allow her to hold off a Russian attack, and Georgia can hardly do in Pankisi qualitatively more than Georgia already does. Moreover, no Russian military involvement, whether in the form of air strikes or ground troops are likely to actually put an end to the Chechen conflict—it will just extend it to the Georgian territory and allow the Russian authorities to buy time by saying to their public that the conflict just entered another phase—this time having moved outside Russia.

The Russian-Georgian problem caught Georgia in the middle of quite tense internal political situation. In order to explicate the major dimensions of these internal tensions, I will give first some background information on the political development of the last 2-3 years. The period since 2000 has been notable for dramatic drop of popularity of President Eduard Shevardnadze. The reasons of this are a slow down of economic development, the government's inability to do anything about rampant

corruption, and continuing inefficacy of the government in virtually all the areas in which the state is supposed to serve the society. Of course, these trends were building up earlier, but before the government lived off the credit of trust that had been gained by successfully overcoming the period of turmoil and warlordism of which the first half of the 1990s consisted. In the second half of the 1990s, the government was also seen as doing something for reforming the economy and the political system, and there was a brief period of high economic growth, albeit against the very low starting point following dramatic decline. This all stalled after 1999—no visible attempts to improve the situation were made any more, and it became obvious that extremely notorious and obviously corrupt figures like Minister of Internal Affairs Kakha Targamadze were gaining political ground. The weariness of the figure of Eduard Shevardnadze who has been dominating Georgian politics since 1972, and the context of the struggle for succession is also to be taken into consideration. According to the Georgian Constitution, 2005 is the year when Shevardnadze's last term expires. Given the Russian example of Yeltsin-Putin succession and Shevardnadze's domination of power politics, many people assumed that handpicking a successor by the incumbent president would be the formula of power transfer in Georgia as well. Therefore, immediately after the 2000 presidential elections, an intense power struggle within Shevardnadze's camp for the position of a successor started. Since Zurab Zhvania, then chairman of parliament and in control of the machinery of the government party, the Citizen's Union of Georgia (CUG), was considered to be the frontrunner in this race of succession, he became the primary target of the struggle. These two trends led to open rifts and an eventual break-up within the ruling coalition. On the one side stood the so-called "reformist" part of the CUG who were in control of Parliament, took credit for most legislative reforms of 1995, and were some kind of a visiting card of Georgia demonstrating that this was a reform-minded country oriented towards western values. Against the backdrop of obvious lack of progress in Georgia, their supporters, especially those from active civic groups, pressured them to openly distance themselves from Shevardnadze. This prompted them, specifically Zhvania and Mikheil Saakashvili, who became first the leader of the CUG faction and then the minister of justice, to take more an aggressive position in pushing Shevardnadze to support reforms and, especially, to get rid of his most notorious ministers. They thought—correctly, I believe,—that being associated with increasingly unpopular Shevardnadze without having real power would eventually undermine their political prospects, so they aimed at gaining ground in the executive. Namely, they wanted introduction of a position of a prime minister and the creation of a cabinet under the prime minister rather than directly under the president, with Zurab Zhvania taking that position. However, the respective constitutional amendment failed, and what they got was several ministerial positions. This only led to open divisions within the existing cabinet under the president and weakened the "reformist" group. Their opponents represented a motley coalition of different forces all of whom had a common interest in not allowing Zhvania to become too powerful. The most important of them were heads of law enforcement agencies, different Tbilisi-based or regional elite groups, and, most conspicuously, the New Faction (later New Right) group, that consisted of defectors from Zhvania-Saakashvili camp. The strategy of the opponents of the "reformers" seemed to be to discredit them

and at the same time to widen a rift between them and President Shevardnadze. The fall of 2001 became a turning point. First the CUG formally broke up in September 2001 (although legally the process continued until May 2002, when the court finally gave victory to Shevardnadze's supporters in a battle for the CUG brand name). In late October, the government attempt to raid the most popular independent TV station, Rustavi-2, was followed by student protests who demanded resignation of the heads of law enforcement agencies at a minimum and of Shevardnadze himself as the maximum. Shevardnadze had to sacrifice the former—thus he actually did under the public pressure what Zhvania and Saakashvili had been demanding for a long time. Lastly, the new opposition also split into two groupings that had different strategies though were not mutually antagonistic. The charismatic Saakashvili created the more radically oppositionist National Movement and actually positioned himself as the main opposition candidate for presidency, while Zhvania took more conciliatory stance and tried to continue negotiating with Shevardnadze until the above-mentioned court decision. Later, he created the more moderate New Democrats party. The government, on the other hand, decided to recreate the CUG as the party of the ruling bureaucracy, headed by Minister of State Avtandil Jorbenadze, the number two in the president's administration. The nadir of Shevardnadze's popularity so far may have coincided with the June 2002 local elections, when the CUG took a pitiful 2% in elections for Tbilisi city council (and did not show any better in most other regions). That may be considered not sufficiently indicative since the CUG, which resolved its internal legal struggles just two weeks before elections, did not have time to put up a serious campaign. Most importantly, however, the campaign developed into a competition for the harshest way to denounce Shevardnadze, with the two parties that demonstrated most radical rhetoric, the National Movement and the Labor party, emerging as winners in Tbilisi. Outside Tbilisi, two business-oriented parties, the Industrialists and the New Right, were most successful. They also considered themselves oppositionist, though were much more timid about attacking Shevardnadze personally. In any case, distinctly distancing oneself from the government was a must for any electoral success. The last summer partly diluted the sense that Shevardnadze's government is in a grave crisis. The government took credit for the "Train and Equip" program that is quite popular and approved even by the most radical opposition, and starting the recent operation in Pankisi is also to its benefit. Not less importantly, the opposition demonstrated its weaknesses. First, this weakness was exposed by a growing rift between Zhvania and Saakashvili. A misguided move by Saakashvili who demanded recount of the vote although he was poised to become the chairman of Tbilisi City Council, confused people about his real motives and his real political skills. His not well calculated remarks about his plans to start a campaign of public protest in the fall helped Shevardnadze to present him as a dangerous radical who is after destabilization of the country—a prospect that most Georgian citizens dread, however much they may dislike the incumbent government. Zhvania, on the other hand, presented himself as somebody more sophisticated than the public politics require, and his different political maneuvers were not convincing about his ability to create a strong political force on his own. But most importantly, it was Putin with his airstrike and ultimatums that really came to rescue for Shevardnadze's sinking support. Having

an obviously threatening external enemy is always a wonderful resource for any unpopular government, and Shevardnadze's is no exception. The Russian pressure put the opposition into a difficult position: Putin's attacks were targeted not just against Georgia but against Shevardnadze personally, so it became easy for the government to say that the opposition and Russia has one goal in common. This is only one step short of alleging that opposition is really secretly allied with Russia—allegations that some government supporters were fast to issue. Most opposition forces (including Zhvania) decided to suspend or weaken anti-Shevardnadze rhetoric for the time being. Conversely, Saakashvili (who recently held the founding congress of his National Movement as a political party) decided to keep up pressure on Shevardnadze, though he no longer talks of any plans to organize Ukrainian-style public protest campaign demanding the president's early resignation. However, the Pankisi situation will help Shevardnadze internally only until the tension continues—it may continue for some time, of course. We cannot say what will happen then—or will a possible Russian invasion lead to a greater consolidation of the public around him or that he eventually be blamed for it. Having an external enemy only helps when the leader is strong and decisive—and we cannot be sure that Shevardnadze shows such qualities in face of Russian danger.

IMPLICATIONS FOR DEMOCRACY AND HUMAN RIGHTS

What do these developments mean for the situation in democracy and human rights in Georgia? I think, here we have a mix of positive and negative trends, although I believe on the balance bad news clearly outweigh good news.

The main good news is, I believe, the return of public politics and, as a result of that, a somewhat higher rate of political participation. After several years of extremely Byzantine power politics that mostly consisted of maneuvering and back-stage deals between different groups within the ruling oligarchy, there is some political completion in the public space. The level of cynicism towards the political elite as well as towards the electoral process that most Georgians consider full of irregularities and fraud continues to be high. However, the last local elections demonstrated that people have some belief in public politics, that they consider political participation as meaningful to some extent, and are even ready to fight for their right to vote when attempts were made to deny them this right.

More open political competition, however, also increased the level of tension in the society and fears that these tensions would allow political competition to stay within constitutional limits. The opposition parties are often quite populist in their rhetoric and do not move far beyond denouncing their opponents. But most disturbingly, since the government is extremely unpopular and appears to have slim chances of success in open political competition, it reverts to forbidden tactics. The trend that is most threatening to the prospects of democracy is a mounting trend towards use of violence in the political process. Georgia was notorious for warlordism in the early 1990s, but in the mid-90s Shevardnadze managed to overcome it, and this is deservedly considered to be his greatest success. Now, however, different paramilitary or purely criminal groups are trying again to openly disrupt the political process, and the government either is not doing anything to punish and curb this violence, or, most probably, directly or indirectly encourages it as much

as it is targeted against its political opponents. This trend started in November 2001, when Mikheil Saakashvili, who ran on a radically oppositional ticket, very convincingly defeated his opponents in by-elections to Parliament. At the end of the day, groups of thugs (most probably from the National Democratic Party) tried to steal ballot boxes from precincts, and succeeded in four of them. The aim was obviously to invalidate elections by the party whose candidate did not win. No attempt was made to punish the culprits. In spring 2002, during the local election campaign, this violence took a more systematic character. In Zugdidi, western Georgia, a paramilitary group headed by one Badri Zarandia, disrupted Saakashvili's pre-election meetings several times, and Zarandia said on television several times that he would not allow people like Saakashvili to "deceive people." Other thugs in other parts of Georgia then made similar statements. Again, no attempts were made to punish anybody. Rumors are circulating that some groups close to the government are creating other paramilitary groups. This allows a plausible assumption that while the government does not want to be seen openly restricting political opposition, it uses its criminal proxies to intimidate the opposition or disrupt democratic political process altogether.

One more disturbing trend of the last two years consists of playing ethnic card in politics—something we also have not seen since the early 1990s. [Ethnic Armenians and Azeris are the two largest ethnic minorities in Georgia] This card is mainly used against same Zhvania and Saakashvili: Zhvania's mixed ethnic ancestry (his mother is half-Armenian and half-Jewish) is increasingly used by his opponents to discredit him. Articles are being concocted in the media that argue they are part of some "Jewish-Armenian conspiracy." Rumors are spread among the Azeri community that these will be pro-Armenian forces therefore hostile to the Azerbaijani diaspora in Georgia. All this is openly discussed not just in tabloids, but by politicians close to the government. Naturally, ethnic Armenian citizens of Georgia take offense: Armenian-ness is seen as something demeaning. While these attacks are immediately motivated by a desire to discredit political opponents rather than by ethnic nationalism, it clearly encourages greater ethnic tensions.

The issue of religious violence, that constitutes an especially dangerous trend in today's Georgia, can also be considered in this aspect. In the last several years, different religious minority groups—most often Witnesses of Jehovah, but also others—were attacked by groups of religious fanatics. The group of a defrocked Orthodox priest, Basil Mkalavishvili, was the most active in this, but sometimes also some other groups, including people associated to the mainstream Church, took active part. There has been no single precedent of such attacks being punished. Moreover, police officers sometimes encouraged the attacks or even took part in them. The roots of this violence are not only political. Unfortunately, public opinion is especially hostile towards so-called new sectarian groups (especially, but not only them), whose proselytizing activities are largely seen as a threat to Georgian identity. Most people think the state should do something to curb activities of these "sects" by introducing more restrictive legislation in religious matters. However, while legislation stays fairly liberal, many people think that Mkalavishvili does (even in an unseemly way) what the state should be doing. Therefore, the failure of the state to act against

Mkalavishvili may be interpreted as the fear of a weak and unpopular government of undermining its popularity even more. Even many police officers are open admirers of Mkalavishvili. This, of course, cannot justify inaction, but provides somewhat more sympathetic explanation of it. However, there are also signs that the government—again, indirectly or through its proxies—is trying to discredit its political opponents by saying that their advocacy of western-style democratic values also implies defense of Jehovah's witnesses. I have heard more than once casual remarks made by the president's supporters and addressed to the opposition representatives like "but you support Jehovah's witnesses." This is an indirect but unambiguous indication by high-level politicians associated with Shevardnadze that defending rights of Jehovah's Witnesses is a bad thing in itself, while attacks against them may be justified. Thus religious card is played by the government alongside the ethnic one and this obviously contributes to religious tensions.

Not only religious groups are victims of violent attacks, but also media and NGOs who in one way or another come to the defense of civic rights. This summer's violent attack against the Liberty Institute, that is both the most vocal and well-known defender of religious freedoms, but also extremely critical of President Shevardnadze personally, was the most dramatic expression of this trend. Several staff members of the Institute were hospitalized as a result.

On the "good news" side, it should be noted that of late the government appears to have recognized the influence of the media and NGOs and has chosen a policy of engagement rather than alienation or repression towards them (of which there had been some signs before this summer). Soon after the attack on the Liberty Institute the Minister of State Avtandil Jorbenadze visited this organization in person and proposed cooperation. After that, several meetings between NGOs and high-level government representatives—such as law enforcement agencies and education—took place where plans were discussed about reforming those agencies and increasing public control over them. Most recently, on September 14, a large meeting lead to signing a pledge that the government and the leading parties would support a new legislation strengthening freedom of the media. Mr. Jorbenadze also held a meeting with representatives of Jehovah's Witnesses and proposed them help in defending their rights. Whether this is just a temporary appeasement of the human rights groups that could create trouble by supporting opposition, or some genuine actions will result from this, remains to be seen.

**PREPARED STATEMENT OF
STEPHEN JONES, ASSOCIATE PROFESSOR,
RUSSIAN AND EURASIAN STUDIES,
MOUNT HOLYOKE COLLEGE, MASSACHUSETTS**

When I testified to this committee in March 1995 at a hearing on Georgia, I concluded: "the concentration of power in Shevardnadze's hands ... and the retention of conservative apparatchiki in policy making positions, is undermining popular faith in the institutions of democracy and the market. Shevardnadze may have managed to save the Georgian ship of state ... but has given it little direction." After seven years, and over \$700 million of US government aid between 1995-2000, today I might conclude in much the same manner. In 2000, USAID spent \$52 million in Georgia restructuring its energy system, implementing business and democratic reforms, and funding social and humanitarian programs. That same year, the US government spent \$35,000,000 on border defense and on the Georgian armed forces, \$7,000,000 on conflict resolution, and \$14,000,000 on judicial reform, rehabilitation of the health system and privatization. Yet there is little indication that this investment had made much difference. When I was in Georgia in the fall of 2001, there were blockades on the streets by citizens angered at blackouts, there was an occupation of Rustavi 2, the most popular independent TV channel by Security ministry officials, prolonged protests outside parliament leading to the mass resignation of government ministers, the bombing of Georgian villages by Russian planes, an incursion of Chechen fighters into the Kodori valley, and the election of a new South Ossetian President in December more antagonistic to re-integration with Georgia than his predecessor. Conflict resolution with secessionist Abkhazia and South Osetia remained at a dead end. The judicial reform greeted with such fanfare in 1998 had petered out. Corruption and the obscure process of privatization of middle and large companies continued to undermine the faith of ordinary citizens in economic and political reform.

It would be absurd to suggest no progress has been made since 1995. Shevardnadze ended private armies, civil strife, prevented a catastrophic economic collapse, and stemmed territorial fragmentation. He de-radicalized the Georgian nationalist revolution, introduced tough economic reforms, established a constitution and initiated a process of reconciliation in a country torn apart by civil war. But this progress, in which Western governments and international organizations have invested so much, is built upon the thinnest of ice. The fragile stability in Georgia today is maintained by social and political forces that in the long term will bring it down, and along with it, US hopes of a sturdy liberal democratic ally in the region. Thus corruption, migration (an important pressure valve for the unemployed and discontented), public cynicism, and a poorly organized civil society sustain the system today, but tomorrow these same phenomena will undermine any future prospect of sustainable reform. That means I will likely be back before this committee in seven years time repeating what I said in 1995.

By most criteria, we might call Georgia democratic although in my mind there are serious questions as to whether elected officials have effective power over the government, and whether elections, such as the 2000 Presidential election, can be described as fair and honest. Other attributes of democracy, though imperfect, are basically in place such as free expression, the right to create political parties and associations,

the right to run for elective office and the existence of alternative sources of information. But despite these gains, for the ordinary voter, the expectations of democratic life, such as accountable officials, defense against corrupt judges and police, a responsive government and electoral power, have not been fulfilled.

There are many reasons why Georgia is failing its citizens, but I will mention only three. I focus on these because they are areas where Western governments have also failed Georgia.

The first concerns economic security. Impoverished democracies exist, but studies show moderate growth, a higher per capita income and declining inequality are the best means for sustaining democratic institutions. Even with estimates taking into account popular participation in the shadow economy, 40 percent of the Georgian population has a combined monetary and non monetary income below the subsistence level. J.K.Galbraith has remarked that “nothing ... sets a stronger limit on the liberty of the citizen than a total absence of money.” In Georgia Western policies on democracy building have overlooked this basic tenet—and until Georgian citizens’ economic and physical insecurity is mediated in some way, democratization in Georgia will have little chance of success.

The second concerns Georgian state capacity. No government can sustain reform without the proper institutional means to follow through on implementation. A few figures illustrate the problem: compared to 1989, Georgia’s current economy has shrunk 67 percent; industry is working at 20 percent of its capacity. Between 1997-2000, expenditure on defense decreased from \$51.9 million to \$13.6., education from 35.6 to 13.9, agriculture forestry and fishing from 13.4 to 7.2. The state’s inability to fund its social insurance and employment funds, maintain its army, education and transport in rural areas, or stimulate agriculture and industry, has led the majority of the population to view the state as irrelevant, unrepresentative, and corrupt. Its functionaries are despised, its structures unworthy of trust or support, including the police and the army. Throwing in Western aid such as the US train and equip program for the Georgian army – which is aimed to help Georgians fight Chechen terrorists—will never be effective if the Georgian state cannot pay its soldiers and feed them properly. A strong fighting force cannot be built on the impoverished base of Georgia’s army. The transition to democracy and the effective impact of aid must start with the premise of a coherent and functioning state. A weak state is unable to promote good government, and cannot control bad government or misspent aid.

The third issue is political and public support for reform. There are scattered reformers in the Georgian government, even ministers, but they are powerless and do not have the support of the President. Sound opinion poll research suggests that even if state elites wished to reform, they would find it very difficult to convince a profoundly alienated population that they were genuine. Data suggests that 56.8 percent of the population do not trust the courts, 64 percent do not trust parliament, 79.4 percent don’t trust the tax administration, and 65.6 percent do not trust the President. Such degrees of alienation will kill most attempts at reform before they begin. The cycle of distrust can only be broken with visible government measures taken to end the control of corrupt political and economic networks. The US government should be strongly urging Shevardnadze to do so with sanctions if he does not.

A poll in December 2001 conducted by the Georgian research firm SOCIOGEO suggested that Georgia's cumulative problems and the ineffective backing of the US for reform has decreased faith in the US among Georgian citizens. Forty three percent of Georgians polled (24 percent in 1999) favored closer security ties with Russia and the CIS rather than with the USA.

Ultimately Georgians are responsible for building a sustainable democracy, but Western aid is an important instrument in shaping, stimulating and sustaining reform. So far, Western aid has been largely ineffective in doing so.

TERROR IN THE NAME OF RELIGION
TRANSCRIPT OF VIDEO PRESENTATION

SLIDE [TEXT]: "Attack on Gldani Congregation on October 17, 1999"

NARRATOR: Attackers viciously beat Mirian Arabidze and others while encouraging each other with the words, "beat them; they deserve it." Some witnesses inside the building are not allowed to leave. Sixteen of the victims require medical aid. One woman, Pati Tabagari, a mother of two, suffers permanent damage to one eye due to a blow to the head. Mirian Arabidze and Vladimer Kokosadze attempt to calm everyone down. Followers of Mkalavishvili attack Mirian Arabidze again.

SLIDE [TEXT]: "Attack on Courtroom in Gldani on August 16, 2000"

NARRATOR: They attack Jehovah's Witnesses, foreign observers and journalists. They expel them from the courtroom.

SLIDE [TEXT]: "Attack on Zugdidi Convention September 8, 2000"

NARRATOR: Convention site located on private property is looted and burned to the ground. Police armed with machine guns stop the convention and send some 700 Witnesses in attendance out of the area by bus.

SLIDE [TEXT]: "Attack on Marneuli Convention on September 16, 2000"

NARRATOR: Police block the road and stop Jehovah's Witnesses. Witnesses are turned back. Vasili Mkalavishvili with his followers are allowed to proceed through the road blocks to the convention site in Marneuli, which is located on private property. Mkalavishvili and his followers loot and destroy the convention site. They burn nearly two tons of religious literature belonging to Jehovah's Witnesses. The followers of Vasili Mkalavishvili pray and chant in front of the burning literature.

SLIDE [TEXT]: "The culture of impunity created by the inaction of state authorities led to numerous attacks against congregations of Jehovah's Witnesses throughout the country."

SLIDE [TEXT]: "Attack on Ombudsman's Office on January 22, 2001"

NARRATOR: Vasili Mkalavishvili along with Gia Ivanidze and others of his followers disrupt a press conference held in the Ombudsman's office. The purpose of the press conference was to release a petition signed by 133,375 Georgians, most of whom are Orthodox, asking the president to put an end to the violence.

SLIDE [TEXT]: "Police complicity and religious extremism has led to a reign of terror where individuals are attacked and injured because of their faith."

VASIL MKA LAVISHVILI: When I went to Marneuli, I warned everyone. I warned them officially. I warned Targamadze, I warned Alavidze, I warned state security. I told them that I was going there, and just try to prevent me. I will come by buses, and I will run over you. Yes, of course there was a little opposition but they let us go there anyway.

Slides [text]: "Some of the victims of various attacks."

CAPTION: "Eyewitnesses to fire, with police presence at Kaspi convention site."

EYEWITNESS NARRATION: Isn't that the police chief there? Yes. He is Ramazi.

NEWS REPORTER: They are saying that you are in alliance with the police.

VASILI MKALAVISHVILI: The police always support us in our fight against the Jehovahists.

EXCERPT FROM THE NEWSPAPER "GEORGIA TODAY," DATED AUGUST 23-29, 2002: "The local Kaspi force joined the worshipping Witnesses for lunch and apologized for the lack of police action, saying that they were simply carrying out orders from above."

SLIDE [TEXT]: "As of 9-23-02 there are 133 mob attacks, 746 criminal complaints have been filed with law enforcement officials. NOT ONE single individual has been punished for these criminal acts. The culture of impunity continues."

[The End]

**COMMISSION ON
SECURITY AND COOPERATION IN
EUROPE**

234 FORD HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6460
(202)225-1901
FAX: (202) 226-4199
csce@mail.house.gov
<http://www.house.gov/csce>

October 17, 2000

PRESIDENT EDUARD SHEVARDNADZE
*The Republic of Georgia,
Tbilisi, Georgia*

DEAR PRESIDENT SHEVARDNADZE:

We write because of our deep concern over the recent violence against members of minority religions in Georgia, which has specifically targeted Jehovah's Witnesses and Baptists, but has also caused deep anxiety among practitioners of other faiths. These events indicate a precipitous decline in religious liberty and raise questions about the state's willingness and ability to maintain law and order, to protect all citizens and to guarantee their rights on an equal basis.

As you are undoubtedly aware, over the last year there has been a series of violent attacks against Jehovah's Witnesses, who have been threatened, attacked by mobs, and beaten severely, to the point of injury requiring hospitalization. These events have occurred in Tbilisi, Lanchkhuti, Abasha, Senaki, Kutaisi, Zugdidi, and Pirveli Maisi. Most appalling has been police complicity in these assaults. Police refused to stop a violent attack on Jehovah's Witnesses, their lawyers, and a reporter from Radio Liberty on August 16, 2000, in the Gldani-Nadzaladevi courtroom. Most recently, police and local officials violently dispersed an assembly of Jehovah's Witnesses in Zugdidi on September 8, and on September 16, police joined followers of an ultra-nationalist, defrocked Orthodox priest in attacking Jehovah's Witnesses in Marneuli and looting their convention site. Eyewitnesses report that police beat at least two Jehovah's Witnesses and the assailants burned the library of a church member.

In addition to these threats and attacks, religious literature of the Jehovah's Witnesses has also been confiscated. Georgia, as a participating State in the Organization for Security and Cooperation in Europe, has made commitments to "allow religious faiths, institutions and organizations to produce, import and disseminate religious publications and materials" (1989 Vienna Concluding Document section 16.10). Georgia has also reaffirmed that "everyone will have the right to freedom of expression including the right to communication. This right will include freedom to hold opinions and to receive and impart information and ideas without interference by public authority..." (1990 Copenhagen Concluding Document section 9.1)

Jehovah's Witnesses are not the only minority religion to have been harassed and assaulted. On August 20, the chief of the Tianeti district police and three other policemen broke up a Baptist service, took away the chairs and a Bible, threw aside the pulpit and damaged a large cross.

Mr. President, multi-ethnic, multi-national Georgia has long prided itself on its reputation for tolerance. The events described above are not only a violation of Georgia's OSCE commitments, they shame the Georgian people. We know of your public condemnation of the October 17,

1999 attack on a gathering of Jehovah's Witnesses in Tbilisi, but it is our understanding that few, if any, of the perpetrators of that assault or more recent outrages have been prosecuted to date.

The latest events are genuinely alarming and raise fears that the situation in Georgia is getting out of hand. If nothing is done, those calling for violence against religious minorities will be encouraged to continue their rampages. We hope that you, as head of state, would set an example for the public and Georgia's officials and send two strong, clear messages: whatever one's views of other religions, it is impermissible to use any form of violence against its practitioners; and individuals who engage in such violence—especially policemen who either facilitate or actually participate in these disgraceful actions—will be prosecuted to the fullest extent of the law. Finally, the Jehovah's Witnesses' confiscated literature should be released and Georgia's commitments on free religious expression must be upheld in the future.

We view Georgia as an ally and friend of the United States and Georgia has received considerable assistance—material, financial and moral—from the American people. However, U.S. support for Georgia could come into question if attacks on members of minority religions continue and the perpetrators are not punished. We urge you to take quick action to reassure members of minority religions in Georgia, as well as interested observers in other countries, of the sincerity of Georgia's commitments to international standards of human rights and religious liberty.

SINCERELY,



Tim Hutchinson, U.S.S.
Commissioner



Christopher H. Smith, M.C.
Chairman



Steny H. Hoyer, M.C.
Ranking Member



Frank R. Wolf, M.C.
Commissioner



Benjamin L. Cardin, M.C.
Commissioner



Joseph R. Pitts, M.C.
Commissioner



Michael P. Forbes, M.C.
Commissioner

cc: The Honorable Zurab Zhvania, Speaker of Parliament
The Honorable Kenneth Yalowitz, U.S. Ambassador to Georgia
The Honorable Tedo Japaridze, Georgian Ambassador to the United States

**COMMISSION ON
SECURITY AND COOPERATION IN
EUROPE**

234 FORD HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6460
(202)225-1901
FAX: (202) 226-4199
csce@mail.house.gov
<http://www.house.gov/csce>

May 15, 2002

HIS EXCELLENCY EDUARD SHEVARDNADZE
President, Republic of Georgia
Tbilisi, Georgia

DEAR PRESIDENT SHEVARDNADZE:

Alarmed by reports of continued organized mob violence against minority religious groups, we want to express our concern about the apparent inability of your government to end the attacks and provide adequate redress. Permitting these ongoing and egregious violations eviscerates Georgia's commitments as a participating State in the Organization for Security and Cooperation in Europe (OSCE). We urge you to take concrete steps to provide for the security of all Georgians without distinction as to religion.

For more than two years, mob attacks against members of minority religious communities have repeatedly occurred, often with police refusing to restrain the attackers or actually participating in the violence. Since October 1999, nearly 80 attacks against Jehovah's Witnesses have taken place, most led by a defrocked Georgian Orthodox priest, Vasili Mkalavishvili. Other minority religious communities have also been targeted by Mkalavishvili, including a Pentecostal church, an Evangelical church, and a warehouse owned by the Baptist Union. Reports cite religious services being raided, people being dragged by their hair and then summarily punched, kicked and clubbed, as well as buses carrying Jehovah's Witnesses being stopped and attacked. To date, these transgressions have gone unpunished, despite the reported filing of over 700 criminal complaints.

While the commencement on January 25, 2002 of criminal proceedings against Mkalavishvili and one of his top lieutenants for two mob attacks gave pause for hope, that hope quickly faded. The charges brought in the Didube-Chugureti District Court are for minor offenses, and, since the initial hearing, postponement of the case has occurred five times due to Mkalavishvili's mob, sometimes numbering in the hundreds, overrunning the court. With police refusing to provide adequate security, lawyers filed a motion asking for court assistance, but the judge ruled the maximum security allowed would be 10 policemen, while no limit was placed on the number of Mkalavishvili's followers permitted to enter. In contrast, the Ministry of Interior has protected its own officials by reportedly providing more than 200 police when Mkalavishvili was brought to trial under different charges.

Certainly the Georgian Government could provide adequate security in such a setting, but your government is not taking effective steps to deter individuals and groups from employing violence against


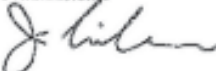
minority faith communities. Failure to confront these transgressions will only lead Mkalavishvili, as well as other criminals, to continually flout Georgian laws. Accordingly, we call upon you, Mr. President, to put an end to these attacks, and to honor Georgia's OSCE commitments to promote and protect religious freedom. We ask you to ensure concrete steps are taken to punish the perpetrators through vigorous prosecution, thereby demonstrating that such violence will not be tolerated.

SINCERELY,


Ben Nighthorse Campbell, U.S.S.
Chairman


Christopher J. Dodd, U.S.S.
Ranking Member



Gordon Smith, U.S.S.
Commissioner


Hillary Rodham Clinton, U.S.S.
Commissioner

Joseph Lieberman, U.S.S.


Robert B. Auerhach, M.C.
Commissioner

Louise McIntosh Slaughter, M.C.
Commissioner


Christopher L. Smith, M.C.
Co-Chairman


Steny H. Hoyer, M.C.
Ranking Member


Joseph R. Pitts, M.C.
Commissioner


Benjamin L. Cardin, M.C.
Commissioner


Zach Wamp, M.C.
Commissioner


Alec L. Hastings, M.C.
Commissioner


Anthony Weiner, M.C.


J.C. Watts, M.C.

**LETTER FROM EDUARD SHEVARDNADZE,
PRESIDENT OF GEORGIA, TO THE COMMISSION ON SECURITY
AND COOPERATION IN EUROPE,
DATED JUNE 3, 2002**

PRESIDENT OF GEORGIA

THE UNITED STATES CONGRESS

Commission on Security and Cooperation in Europe

June 3, 2002

DISTINGUISHED MEMBERS OF THE COMMISSION ON SECURITY AND
COOPERATION IN EUROPE:

I share your concern expressed in your letter of May 15, 2000 regarding the treatment of religious minority groups in Georgia. Regrettably as it may be, you had every ground to raise this issue, since manifestations of faith-related intolerance and religious extremism have really taken place in Georgia recently. I have discussed these problems many a time in the past and yet find it necessary to reiterate my position on this matter: I strongly condemn any form of religious extremism and religion-based violence. They are inadmissible and should not go unpunished in any society that calls itself democratic, let alone civilized. Georgia has always been a tolerant country and it is imperative that this tradition should continue in the future.

That said, I still find it useful to provide you with some background information that might help explain the sentiments that trigger those acts of violence. For centuries the Georgian Orthodox Church has played a very special role in preserving our country's statehood and Georgian nation itself. So much so, that, in fact, generations of Georgians perceived the Church as a symbol of nationhood. This attitude is reflected in the Constitution of our country. Today, much as was the case in the past, public regards the Georgian Orthodox Church as a bedrock institution of the independent Georgian state, an instrument meant to protect its historical and cultural heritage as well as to uphold its traditions. Aside from the Orthodox Christians hundreds of thousands of Muslims, Gregorian Armenians, Roman Catholics and Jews have long lived in Georgia without causing or encountering any serious problems. The appearance of the various new, non-traditional religious groups, little known in Georgia until now, has proved somewhat unexpected and has eventually resulted in causing a significant part of our society to view them in a negative light, since many tend to think that these groups, by trying to win over converts, seek to undermine foundations of our state. This mentality is obviously wrong and we need to have it changed, which, I am certain, is only a matter of time. Having done this we will be able to put an end to religion-based extremism and fully restore traditions of tolerance I referred to earlier. Also I firmly believe that the activities of the religious groups, both traditional and non-traditional, are to be legally regulated by enacting relevant legislation.

I am fully aware that no valid arguments can be advanced to justify acts of violence committed against religious minorities. Any act of this kind is a crime under Georgia's criminal legislation and persons committing them ought to be held responsible. The same is true of the law enforcement officials who refuse to perform their duties and look on as angry crowds resort to violence.

Let me assure you that I am fully determined to eliminate any further manifestations of religious extremism. As a matter of fact some appropriate steps have already been taken to properly investigate all cases, bring perpetrators to justice and punish them in accordance with the existing law.

On May 17, 2002 I issued a special Decree aimed at strengthening human rights protection in Georgia. More specifically, the President of Georgia has instructed the Procuracy, the Ministry of Justice and the Ministry of Internal Affairs of Georgia to take necessary measures to ensure that every individual in our country can fully exercise the entire set of freedoms guaranteed by the Georgian Constitution, that each act of violence committed against religious minorities is investigated and submitted to the court so that the perpetrators are duly punished, that training of personnel in the field of human rights is conducted, wherein inadmissibility of religious intolerance is particularly stressed.

As you are aware, in Georgia which fully adheres to the principle of separation of powers, court is independent. Neither the President of Georgia, nor other governmental bodies or individual officials are allowed or, in fact, able to influence the judgments it makes. The above Decree, however, tasks the Council of Justice of Georgia (consultative agency headed by the President of Georgia) to give special attention to the consideration of court cases related to violence, torture or degrading treatment of religious minority groups, so that these cases are tried without any obstacles and undue delay.

Strict control is established over the implementation of the assignments listed above. The Decree and my statement entitled "Human rights protection is a key priority of Georgian state" have been published and made available to law enforcement officials and all those interested in the issues of human rights protection.

Besides, previously I assigned the Ministry of Justice of Georgia a task of elaborating a draft law on religious organizations, in compliance with international obligations of our country in the field of human rights. This draft is to be submitted to the President of Georgia no later than mid-July 2002.

I firmly believe that after all these assignments are implemented within the strictly established time frame, we will be in a position to say—religious intolerance in Georgia has no future and manifestations of faith-related violence can occur no more.

SINCERELY,

Eduard Shevardnadze

**“SEARCHING FOR AN END TO RELIGIOUS VIOLENCE”
BY HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

**REPRINTED FROM GEORGIAN NEWSPAPERS
24 SAATI [24 HOURS] AND *RESONANCI [RESONANCE]*,
AUGUST 27, 2002**

A disturbing pattern of escalating violence against non-Orthodox religious communities in Georgia and the failure of government authorities to deal effectively with these actions have become a matter of significant concern to many Members of the U.S. Congress, myself included. I have been in Congress for over 20 years and appreciate the importance of good relations between Georgia and the United States. The United States has done much to assist its friend in the transition from the horrors of Soviet domination. This was the case before September 11 and is even more so today, as U.S. forces provide training and technical assistance to the Georgian military in our common war against terrorism.

Sadly, as the Georgian and U.S. Governments have increased cooperation to root out terrorists, we have witnessed another very disturbing, negative trend of domestic terrorism. Over the past three years in Georgia there has been a sharp increase in the number of violent attacks on minority religious faiths and their Georgian adherents.

Non-Orthodox religious groups in Georgia have endured escalating harassment and frequent brutal assaults. Peaceful citizens have been beaten with clubs and, in at least one incident, dragged by their hair without provocation, with Jehovah's Witnesses being singled out as a particular target. Pentecostals, Baptists, and Jehovah's Witnesses have been attacked during worship services and their religious material, including Bibles, have been burned. These attacks have resulted in numerous injuries, although, miraculously, no one has been killed thus far. The provocateurs behind the mob attacks are well known, with their brutality documented and widely seen on Georgian television. Nevertheless, Georgian authorities have failed to arrest the culprits. As a result, with the violence spreading unchallenged, Georgia is in danger of succumbing to mob rule.

Particularly shocking is the claim by the perpetrators of these attacks that they are defending Georgian Orthodox Christianity. I am certain the church would never condone such violence and bigotry, which are so obviously at odds with Christ's teachings. In fact, His Holiness Ilia II, head of the Georgian Orthodox Church, recently called the violent incidents that have taken place on religious grounds “totally alien to our way of life and traditions.” Indeed, such criminal behavior is inconsistent with the church's long, distinguished tradition and sullies the international reputation of Georgia.

Yet, in early July, following nearly two months of relative calm, Georgia experienced a new outbreak of mob violence against Pentecostals, Catholics, Jehovah's Witnesses and the political think tank, the Liberty Institute. Unfortunately the government has continued to demonstrate its unwillingness or inability to deal with the violence.

The religious violence perpetrated on August 15 in the town of Kaspi, Shida Kartli, follows the pattern of previous incidents. Inflammatory, bigoted utterances regarding Jehovah's Witnesses by leading Georgian politicians, which can only be described as incitement to violence, pre-

ceded a violent arson attack on a peaceful meeting place leaving the site -- and the private dwelling of the property owner -- destroyed. Despite explicit advance warning and requests for assistance from human rights advocates and the American Embassy, the Georgian authorities did not intervene to prevent this most recent attack against a religious minority. We expect the Georgian Government to conduct a full and transparent investigation and bring the perpetrators in this and previous cases to justice without delay and to finally bring a halt to this cycle of religious violence.

Together with 14 other Members of Congress, I had initiated a letter to President Shevardnadze urging him to take concrete steps to end the ongoing religious violence. Ambassador Miles has also repeatedly raised this issue with the President and at all levels of the Georgian government. Although we have received positive replies, the continuing violence makes clear that the government must take more direct measures to protect all Georgians, regardless of their faith. The perpetrators of violence must be arrested and brought to justice. Until this happens we will continue to raise our concerns.

Clamping down on minority religious communities is not the answer. A draft law on religion limiting free speech and imposing new burdensome registration requirements on religious groups should be shelved. By restricting free speech, whether religious in nature or viewed as "proselytism," the Republic of Georgia violates its international commitments. Therefore, I urge Georgian legislators to not pass the draft law, as well as urge all Georgians to be tolerant of all their fellow citizens, even those who do not share the prevailing religious beliefs.

Additionally, some have argued that creating a law on religion will end the violence. However, in my opinion, the answer to mob violence against religious minorities is not heavy regulation of religious organizations. I believe that criminal law is most effective in dealing with criminal actions, rather than trying to use some specially crafted law on religion.

Make no mistake, I have great respect for the Republic of Georgia, the Georgian Orthodox Church, and the people of Georgia. As Co-Chairman of the U.S. Commission on Security and Cooperation in Europe, I appreciate the long history of Georgia's people, culture and its valiant effort to cope with multiple challenges after emerging from eight decades of Soviet Communist rule.

The United States has demonstrated its support for Georgia's transition to democracy, committing sizeable resources, both in money and training. Part of a successful transition must be the growth of religious freedom in the country. For these reasons I respectively ask President Shevardnadze, the Georgian Government and the people of Georgia to stand up and put an end to mob violence and the harassment of your fellow citizens. We want to help build a Georgia where all people, regardless of religious belief, can live and worship in peace and security.

Rep. Christopher H. Smith has served in the U.S. Congress for over 20 years. He is currently Co-Chairman of the U.S. Commission on Security and Cooperation in Europe (Helsinki Commission), Vice-Chairman of the House International Relations Committee and Chairman of the Committee on Veterans Affairs.

This is a U.S. Government publication
produced by the
**Commission on Security and
Cooperation in Europe (CSCE).**

This publication is intended to inform
interested individuals and organizations
about developments within and among the
participating States of the Organization for
Security and Cooperation in Europe
(OSCE).

All CSCE publications may be freely
reproduced, with appropriate credit, in any
form. The CSCE encourages the widest
possible dissemination of its publications.

Visit our site on the World Wide Web at
<http://www.csce.gov>

The Commission's Web site provides
instant access to the agency's latest press
releases and reports on recent hearings and
briefings in addition to an electronic
subscription service. Using the
Commission's subscription page, readers
with e-mail may choose to receive
press releases, notices, reports, and other
documents on issues in which they are most
interested.

Please subscribe today.